REPORT

ON

CIVIL AND CRIMINAL JUSTICE

IN

BRITISH BURMA

FOR

The year 1873.

Rangoon:

PRINTED AT THE GOVERNMENT PRESS.

1874.

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ERRATA.

In para 9, page 3, 5th line, *for* "the year," *read* "the year 1873"

,, 6, ,, 8, 9th line from top of page, *for* "has," "*read* "have," and in the 11th line, *for* "induce," *read* "tend"

In last para on page 15, 3rd line, *for* "Moung Ghee," *read* "Moung Gyee."

In para 6, page 17, fourth case, 1st line, *for* "mistery," *read* "mystery."

,, 6, ,, 19, twentieth case, 2nd line, *for* "*putsoe*," *read* "*putso*"

,, 1, ,, 23, last line *for* "to those," *read* "with those"

,, 22, ,, 40, 1st line, *for* "Only 41," *read* "Only 41 per cent."

RESOLUTION

ON THE

JUDICIAL REPORT, BRITISH BURMA,

For 1873.

Extract from the Proceedings of the Chief Commissioner, British Burma, in the Judicial Department,—No. 207, dated the 11th November 1874.

READ—

Report on the Administration of Civil and Criminal Justice in British Burma for 1873.

The year 1873 has not been marked by any very important changes in the judicial administration of the province. The working of the District Courts has been carefully reviewed by the Judicial Commissioner, and, so far as may be safely inferred from statistics, our judicial system seems to be working satisfactorily, and to be acceptable to the people, who are gradually becoming better acquainted with the provisions of our laws and procedure. It is gratifying to observe in the reports for the past year new testimony to the confidence which the Burmans have in Burman judges; no less than 21,000 suits out of a total of 27,000, or more than three-fourths, have been tried by Native judges, and in only 12 per cent. have appeals been brought. Of course, in many cases the suitors have no option but to bring their cases originally in the courts of the Native Extra Assistant Commissioners, but no difference of practice is observable where the suitors have a choice; and the fact that about one-half the litigation in the Native courts is in suits of less than Rs. 20 in value, shows how readily the people, who are by no means prone to litigation, accept the arbitrament of their official fellow-countrymen in the solution of their disputes. The Chief Commissioner believes that the Subordinate Judicial Service as a whole gives satisfaction to the people.

Satisfactory working of the judicial system.

Confidence of the people in Burman judges.

Licensing of Advocates under Act I of 1873.

2. During the year, the Burma Courts Act Amendment Act (I of 1873) came into force, and under its provisions the Judicial Commissioner has framed rules for the licensing of Advocates. As far as has yet been observed, there is no scarcity of Native practitioners who are willing to undergo the prescribed test.

Burma Courts Act.

3. The year's additional experience of the working of the Burma Courts Act has shown that its provisions are, on the whole, suitable to the requirements of the province. Some defects in the Act have been observed and reported on, and these it is anticipated will shortly be remedied by the Legislature. The High Court jurisdiction contemplated by the Criminal Procedure Code is not fully provided for in the Town of Rangoon,—for instance, there is no Court of Revision under Section 297, Criminal Procedure Code, for the proceedings of the Recorder sitting as a Sessions Court and hearing appeals from Magistrates,—but generally the Act has worked well.

Proposed creation of a Civil and Sessions Judgeship for Pegu.

4. The Chief Commissioner has had occasion lately to represent the necessity of creating a Civil and Sessions Court for Pegu. This would relieve the Commissioner of Pegu of judicial work, and would provide a third Judge for a Chief or Special Court. The executive duties of the Pegu Division have now become so heavy that it is very difficult for one officer to discharge the duties of Commissioner and also of Sessions Judge for all the districts in his division without great inconvenience to the public interests.

Publication of Acts and Rules in vernacular.

5. Considerable progress is being made in the publication of vernacular editions of Acts and Rules in force in the province, and the Judicial Commissioner is engaged in arranging for a compilation of Burmese law to serve as a text-book for general use in the Courts.

Changes in *personnel* of principal Courts.

6. During the year there were a few changes in the *personnel* of the principal Courts :—

The bench of the Recorder was vacant for a time, owing to the death of Mr. Housman, the late incumbent of the office. The work of the Court was carried on from the 17th July 1873 to the 3rd January 1874 by the Judicial Commissioner. On

the 22nd August 1873, Mr. C. J. Wilkinson was appointed to the vacant post, but he was not able to take his seat until the year had closed. To this cause is due the small number of cases heard by the Special Court, as well as in a measure the high average duration of suits in the Recorder's Court.

Major Duff, the Judge of Moulmein, proceeded on furlough on the 30th April 1873, and was succeeded by Mr. Macleod, Judge of the Court of Small Causes, Rangoon, who in turn was replaced by Mr. E. J. Sinkinson.

High Court Jurisdiction.

Distribution of High Court jurisdiction.

7. The High Court jurisdiction of the province is divided between several Courts:—The Judicial Commissioner is a High Court in civil and criminal matters for the whole of the province except for the Town of Rangoon, the Civil Appellate jurisdiction of Moulmein, and in respect of the commitment of European British subjects in certain cases. For the Town of Rangoon, and in criminal cases in which European British subjects are concerned, the Recorder is vested with some of the powers of a High Court. To the Special Court (which also hears appeals from Moulmein), and to the High Court of Fort William in Bengal, have been assigned certain other of the functions of a High Court for the Town of Rangoon. The following tables show the manner in which these distributed functions have been performed during the year on the Civil and Criminal sides:—

High Court Jurisdiction (Criminal).

Court of Appeal, Reference, or Revision.	Appeals.	References.	Revisions.
High Court, Fort William	..	..	..
Special Court	5	1	..
Judicial Commissioner's Court	126	22	109
Recorder's Court	..	3	4

High Court Jurisdiction (Civil).

Court of Appeal, Reference, or Revision.	Appeals.	References.
High Court, Fort William	1	..
Special Court	12	..
Judicial Commissioner's Court	55	14
Recorder's Court	..	12

COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON.

8. *Civil.*—The number of regular suits instituted in the Court of the Recorder of Rangoon in 1873 was 179, against 141 in the previous year. The following table shows the figures for the last five years :—

Year.		Regular.	Miscellaneous.	Value.
1869	...	629	176	Rs. 10,09,000
1870	...	614	624	„ 8,41,000
1871	...	234	364	„ 5,95,000
1872	...	141	308	„ 6,79,000
1873	...	179	305	„ 7,71,000

Decrease of civil business in Recorder's Court.

from which it appears that, though in 1869 and 1870 there was more litigation than there has been since, probably owing to exceptional causes, the litigation in this Court for the last few years has varied very little; there is a slight increase this year in the value of suits, and also in their number. Although, as a rule, a large development of trade is accompanied by an increase of litigation, yet, from the simple nature of the trade of this town, with its one great main staple of export, there is little room for dispute in good seasons. It is probably after bad years, when there are failures in the bazaars, especially among Native traders, that questions arise which can only be solved by a reference to the Court. There is no doubt that many more cases are now settled by arbitration than formerly, to avoid the expense of suits in Court.

Duration of suits.

9. The average duration of contested suits was 87 days, which, although an improvement on former years, still seems to the Chief Commissioner excessive, having regard to the lightness of the files. This average, however, as the Recorder remarks, is not a very fair criterion, as it is influenced by cases in which long delay may have been unavoidable, or at the request of parties. At the beginning of the year there were 30 suits pending, and at the close of the year 37.

Number and value of suits.

10. The increase in the total number of suits instituted (Regular and Miscellaneous) was 35, or 7·8 per cent. on the previous year, while the increase in value was 13·5 per cent; but for any practical estimate of the money involved in litigation, calculation must be confined to the regular suits disposed of, for the judgment valuation of a suit is a safer guide than the plaintiff's. Taking the work from this point

of view, there were 136 suits, valued at £66,000, disposed of in 1872, and 135 suits, valued at £42,000, in 1873.

11. In the Small Cause Court there has been a marked increase of business,—an increase of about 20 per cent. on last year. This is attributed, with apparent justice, to the establishment during the year of a second Court, presided over by a Burman Judge. So successful has this experiment proved, that the Chief Commissioner has urged upon the Government of India the desirability of making the appointment permanent. The following extracts from the correspondence show how much the Court was appreciated :—

Before examining the proportion of the Burman cases which fell to the share of the Burman Judge, it is to be noted that it is optional with any plaintiff to bring his case in either the English or the Burman Court, and with any defendant, to have a suit removed from the Burman to the English Court.

Then, again, cases cannot be sent by the First Judge to the Second Judge; moreover, the Second Judge's jurisdiction has a lower pecuniary limit than that of the First Judge ; and lastly, it must be considered that the Second Judge only sat for the last three-fourths of the year. Notwithstanding these limitations, it is found that of the 1,052 cases in which Burmans were concerned, 734, or about 70 per cent., were tried by the Second Judge. Again, there were 504 cases in which both plaintiff and defendant were Burmans. Of these, 446 were within the jurisdiction of the Second Judge, and were brought during his tenure of office, and *every one of these* was tried in his Court. Of mixed cases in which Burmans were plaintiffs, 75 per cent., and in mixed cases in which Burmans were defendants, 41 per cent., were tried by the Second Judge. Besides these, there were 148 cases, in which neither of the parties were Burmans, brought and decided in the Burman Judge's Court.

The foregoing figures, and more especially those which show that every purely Burman case within his jurisdiction was tried by Moung Oon, seem to Mr. Eden to establish so notably the satisfaction of the Burmese with the experiment, and the confidence they have in a competent Judge of their own race, as to render comment unnecessary. Mr. Sinkinson, the Officiating First Judge, infers that the figures indicate that the Burmese have greater confidence in a Burman Judge than in an English one ; and, as suggested by Mr. Sinkinson, it may safely be said, without disparagement to Native Indian Judges, that there is no parallel to this wholesale preference for justice at the hands of their own countrymen by Natives of British India. Whatever the reason for the preference, the facts seem clearly to point to the necessity which exists for the appointment of a Burman Judge.

12. *Criminal.*—There was a nominal increase of criminal trials in the Recorder's Court, the number being 43, against 39 of the previous year. The number of appeals was the same as last year (15),—a very small number of appeals indeed, but

Recorder's Court.

in no less than 7 of these cases the orders of the Lower Court were quashed or modified, which is a large proportion; but on the whole it shows a general acceptance of the justice of the decrees of the Lower Courts.

Town Magistrate and Assistant Magistrate's Courts.

13. In the Courts of the Town Magistrate and the Assistant Town Magistrate there has been an increase of work amounting to 8½ per cent. on last year. The Chief Commissioner notices with regret that this occurs entirely in non-bailable offences, as there has been a decrease of bailable cases. In non-bailable cases reported there has been an increase of over 80 per cent., whereas there has been a decrease of 10 per cent. in the proportion brought to trial. The explanation of this unsatisfactory state of things is to be found in the returns of offences against property. In almost every offence under this head there is an increase, and the reports of simple theft are treble those of last year, while the detection is hardly at all increased. Improved reporting may have something to do with this, but it can hardly be accepted as entirely accounting for so marked an increase in this particular class of offences.

Increase in non-bailable crime.

Decrease in bailable offences.

14. The decrease in bailable cases is probably due to the increased expense of petty charges, and increased caution on the part of the Magistrates in admitting cases of assault and insult.

Courts under the Supervision of the Judicial Commissioner.

General increase in litigation.

15. *Civil.*—Excluding the Town of Rangoon, there has been a general increase of litigation in the Courts of the province. In 1872 there was a decrease in the number of suits instituted of about 4 per cent. on the returns for the previous year: in 1873, however, there is an increase of nearly 10 per cent., and this increase is general to every district except Prome, where there is again a falling-off of about 7½ per cent. In noticing the decrease last year, the Chief Commissioner remarked that there was no reason to suppose that it originated from any regrettable cause, and indeed it was assigned by many District Officers to the prevalence of dengue fever. The general increase in the number of suits does not seem to be such as to call for any special explanation. Leaving the year 1872 out of consideration, the increase in liti-

gation in two years since 1871 is only 6 per cent., or little more than proportionate to the increase of population, and is in no way comparable to the increase of trade or the general wealth of the country. In the thriving district of Bassein, which in 1872 showed a decrease of about 7 per cent., there was an increase of 609, or nearly 25 per cent., and this was chiefly in suits for money due upon contract in the seaport town of Bassein. A large increase in Akyab is attributed by the Judicial Commissioner to the establishment of a Court of Small Causes; and doubtless other special cases of increase or decrease may be capable of specific explanation, but the general results in this respect do not seem to require comment.

Value of suits.

16. It is noticeable, however, that notwithstanding an increase in number, the total value of suits has remained stationary at about £165,000, and that the increase of suits is almost confined to those below £10 in value. There were only three suits altogether valued at over £1,000. The following are the figures for the last five years :—

	Number of suits.	Value.
		Rs.
1869 ...	19,957 ...	14,82,998
1870 ...	22,325 ...	13,76,691*
1871 ...	22,068 ...	18,51,773
1872 ...	21,236 ...	16,46,405
1873 ...	23,291 ...	16,52,900

* Exclusive of the Court of the Recorder of Moulmein, for which no figures are forthcoming.

Subject-matter of suits.

17. The character of the subject-matter of suits remains much the same as heretofore, more than one-half being for money due on contract, and less than 5 per cent. for immovable property. Referring to the latter class, the Judicial Commissioner remarks upon the importance of grants of land being made after a careful survey and establishment of boundaries. This will in time be done, and indeed is now being done in some parts of the country; but, having regard to the small amount of litigation which has as yet arisen on boundary questions, the want does not appear to be very urgent. The total number of suits about land or other immovable property is in the proportion of one suit to every 2,700 of the population.

Disposal of suits.

18. Of suits instituted, about one-fourth did not go to trial; of the remainder, 77 per cent. were decided in favor of the

plaintiff. About 40 per cent. of the total number of suits were contested to a judgment, and of these about 70 per cent. were given for the plaintiff. This is about the proportion observed last year.

Execution of decrees.

19. The comparison of the number of decrees passed with that of applications for execution, shows the same satisfactory proportion as last year. In only a little more than one out of three decrees is enforcement by the Court necessary, and in considerably more than half of such executions the decrees were satisfied in full. On this point it is noticeable that the proportion of fully-satisfied decrees is much higher in the rural districts than in the town of Moulmein and the district of Rangoon. There is a slight decrease in the total number of sales in execution and a marked decrease in sales of immovable property. In 1871 there were 410, in 1872 373, this year 336, sales of immovable property,—Prome again heading the list with 86 cases, besides 127 sales of immovable property. The fact that Prome, with a yearly-decreasing litigation should show 213 sales out of a total for the whole province of 1,059, or more that 20 per cent., is ascribed by the Judicial Commissioner to the active money-lending operations of a party of Chetties who have settled at Prome during the last few years.

Appeals.

20. There is an increase in the proportion of appeals to appealable cases from 11 per cent. to 12¼ per cent., and about one-third resulted in the reversal or modification of decrees. The largest proportion of appeals, and of successful appeals, was from the Extra Assistant Commissioner, Tavoy. In the Divisional Appellate Courts there has been no work—a fact probably due to the small amount of Civil Original work done by the Deputy Commissioner. The Judicial Commissioner during the year heard 55 appeals and received 14 references under the Burma Courts Act. Only three of the twelve appeals to the Special Court were heard, owing to the vacancy of the Recordership during half the year; and owing to this cause also the Judicial Commissioner, who performed the duties of the Recorder, was unable to make his usual tour of inspection.

Increase in non-bailable, and decrease in bailable, crime.

21. *Criminal.*—The results of the working of the Criminal Courts under the supervision of the Judicial Commissioner show that there has been an increase of 13 per cent. in the

non-bailable offences, but, as explained by the Judicial Commissioner, this increase is almost entirely confined to the three districts of Rangoon, Prome, and Henzada. In Rangoon the increase was mainly in cattle theft; as regards the other districts, the Judicial Commissioner observes,—

"In Prome and Henzada the increase took place in petty thefts and house-trespass, or house-breaking. These crimes and cattle-stealing have taken the prominence formerly occupied by dacoity, which has everywhere decreased—indeed, has almost disappeared. Thus, in Henzada the number of dacoities was 1 in 1873 as compared with 34 in 1861; and in the Tharrawaddy Sub-division, which was formerly, I believe, the hotbed of this crime, the Magistrate of Henzada reports that there had not been one case since May 1872.

"And in connection with this subject I may mention the successful administration of the Salween Tracts by Mr. Hildebrand, where dacoities decreased from 26 in the preceding year to none; cattle theft from 15 to "; and receiving stolen property from 8 to none.

"I have no doubt, however, that this diminution in violent crime throughout the province, which is due to a more vigorous and determined administration, will be properly noticed in the report on the Police Administration, to which the matter is more appropriate."

Reasons for decrease in minor offences brought to trial.

22. The decrease of non-bailable cases, on the other hand, is general, and is, as the Judicial Commissioner says, "wholly a matter for satisfaction." It is probably due to the increase of Court fees, which make the practice of carrying petty private quarrels into Court expensive, and to a better understanding on the part of the Magistracy of their duty in scrutinizing complaints of assault, force, and insult.

Rarity of sentences to solitary confinement.

23. The Chief Commissioner observes that Magistrates rarely award solitary confinement. There are only six persons so sentenced during the year out of a total of 5,500 imprisoned, and these six were all by the Prome Magistrate. Sentences of solitary confinement can be effectually carried out in the Central Jails, and for certain classes of offenders it is a most salutary form of punishment.

Corporal punishment.

On the other hand, it is satisfactory that Magistrates are making more use of corporal punishment than formerly. Mr. Eden agrees with the Judicial Commissioner in his remarks in paragraphs 18 and 19, on the subject of whipping as a punishment, and also in regard to the need of great caution in the exercise by Magistrates of the power of demanding security for good behaviour. No doubt there are scattered about over the districts a number of men of notorious

bad character, formerly leaders of gangs of dacoits and organizers of cattle thefts and roadside robberies, who require careful watching; and when such men are found to be living in comfort a life of idleness, having no ostensible means of legitimately providing themselves with the means of living in the style they maintain, there is good ground for calling upon them to find security for good conduct. But a large and indiscriminate recourse to these powers indicates *primâ facie* a slovenly performance of police duties, and a desire on the part of the police to be relieved of their proper duties in regard to the prevention and detection of crime by the confinement of all persons in the least likely to give them trouble.

Fines imposed and realized.

24. The average amount of fines imposed (Rs. 20) coincides with curious accuracy with the average of last year, and considering how much higher this average is than that of other provinces, the proportion of fines realized (two-thirds) is satisfactory; as also is the fact noted by the Judicial Commissioner that Magistrates are exercising their power to award compensation more freely than heretofore.

Heaviness of Sessions work performed by Commissioner of Pegu.

25. The sessions work of the Commissioner of Pegu has again been very heavy,—heavier than the whole sessions work for the rest of the province. During the year he tried 118 persons; and the result is that the average duration of his cases is 58 days. This is counted from the date of committal for trial, and therefore, including the police and preliminary enquiries, the 31 sessions prisoners who were acquitted in Pegu during the year were each kept in doubt and suspense, with serious charges against them, for nearly three months; and most of them were probably imprisoned during that time, for sessions prisoners are rarely on bail. This shows how necessary it is that the Commissioner should be relieved of this duty in the Pegu Division. These sessions have to be held at six different stations, and the time taken up in travelling alone must interfere with the revenue administration of the division, setting aside the time occupied in trials, and the constant interruption to business from these frequent journeys.

Appeals.

26. The appeals from Subordinate Magistrates have not increased in number, although the proportion of modified sentences has risen considerably. The number of persons appealing from the Magistracy to the Sessions Court has increased from 464 to 632. These appeals occur chiefly in the Pegu Division,

202, or one-third, being from the Rangoon District. Out of 5,717 persons convicted by Magistrates of the first class, 637 only appealed. Of these appeals, 432 were to the Commissioner of Pegu. Of these 637 cases, the sentences of 469 were confirmed in appeal. Out of 57 appeals from the decision of Major Street, only 3 were successful. Mr. Buckle, Magistrate of Akyab, convicted 859 persons; and though the Appellate Court is in the same station, only 23 of these appealed, and only 7 obtained an alteration of their sentence. Mr. Forbes, the Deputy Commissioner of Shwe-gyeen, convicted 451 persons in appealable cases, and of these 5 only appealed and 2 obtained a modification of their sentence. These results are exceedingly creditable to the officers in question. The Judicial Commissioner examined on appeal, or as a Court of Revision, cases in which 235 persons were concerned, and in the cases of 131 of these the sentences were disturbed. This is a very high proportion, and is due chiefly to an increased revision of the judgments of the Subordinate Magistrates. As a rule, only cases of obvious illegality are sent up for revision, and it is natural that a large proportion of these should involve a reversal or modification of sentence. The Chief Commissioner thinks that for this reason it would be advisable in future to show regular appeals separately from the action of the Court as a Court of Revision.

27. The Chief Commissioner notices with regret the complaint of the Judicial Commissioner regarding the submission of incorrect statements; one incorrect return retards the punctual submission of the reports of the whole province, and the Chief Commissioner relies upon Deputy Commissioners endeavouring to prevent similar delays for the future.

28. On the whole, the results of the judicial administration are very satisfactory, and indicate great care and attention to their judicial duties on the part of the Sessions Judges, Deputy Commissioners, and their subordinates. Mr. Eden feels that the anticipation he expressed in reviewing the report of last year, of the great benefits which might be expected from the superintendence of the Courts by the Judicial Commissioner, has been fully realized.

By order of the Chief Commissioner,

H. T. DUNCAN, *Lieut.-Colonel*,

Offg. Secretary.

REPORT

ON

CIVIL AND CRIMINAL JUSTICE,

IN

BRITISH BURMA,

For 1873.

PART I.

Courts exercising Jurisdiction in the Town of Rangoon.

COURT OF THE RECORDER OF RANGOON.

CIVIL.—The number of suits pending at the close of the year 1872 was 30 Regular and 5 Miscellaneous, or a total of 35 suits.

Number of suits pending at close of 1872.

2. The number of suits instituted during the year 1873 was 179 Regular and 305 Miscellaneous, or 484 in all. Thus there were on the files of the Court during the year 209 Regular and 310 Miscellaneous, making altogether 519 suits. Of this total number, 172 Regular and 295 Miscellaneous suits were disposed of during the year; and at the close of the year 1873 there were pending 37 Regular and 15 Miscellaneous suits, or a total of 52 suits.

Suits instituted in 1873.

Suit disposed of during 1873.

Suits pending at close of 1873.

3. The Miscellaneous suits consisted of applications for execution of decrees, probates, letters of administration, claims and objections to the sale of attached property, references from the Small Cause Court, and other matters within the extraordinary jurisdiction of the Court.

Nature of Miscellaneous suits.

4. The total amount or value involved in the suits instituted in 1873 was Rs. 7,71,334-3-11, and the value of stamps filed during the year in Regular and Miscellaneous suits was Rs. 26,813-13-0.

Value of suits and stamps, 1873.

5. In the previous year 1872, the number of suits disposed of was 158 Regular and 313 Miscellaneous, or 471 in all. The total amount or value involved in the suits instituted in the same year was Rs. 6,79,881-10-6, and the value of stamps filed was Rs. 26,056-0-0.

Number and value of suits, and value of stamps, 1872.

6. The difference in the years 1872 and 1873 in the above-mentioned particulars, is shown in the following table :—

Comparison of number and value of suits and value of stamps, 1872 and 1873.

YEAR.	Number of Regular suits instituted during the year.	Number of Miscellaneous suits instituted during the year.	Total number of suits instituted during the year.	Number of Regular suits disposed of during the year.	Number of Miscellaneous suits disposed of during the year.	Total number of suits disposed of during the year.	Number of Regular suits pending at the close of the year.	Number of Miscellaneous suits pending at the close of the year.	Total number of suits pending at the close of the year.	Value of suits instituted during the year.	Value of stamps.
										Rs.	Rs.
1872 ..	141	308	449	158	313	471	30	5	35	6,70,881	26,056
1873 ..	170	305	484	172	295	467	37	15	52	7,71,334	26,813
Increase	38	..	35	14	..	..	7	10	17	91,453	757
Decrease	..	3	..	.	18	4	..	..	..	..	..

7. The longest period during which any case had been on the file at the close of the year 1873, was 3 years 2 months and 24 days. This suit with others, as mentioned in paragraph 8 of the Report for 1872, had been referred to a Commissioner to investigate accounts. Omitting suits on the dormant file, the longest period during which any case had been on the file at the close of 1873, was 7 months and 4 days : the average duration of contested suits disposed of during the year was 2 months and 27 days : the average duration of uncontested suits disposed of during the year was 27 days. But this average cannot be accepted as a true criterion of the Court's diligence in the disposal of the cases before it. In many instances postponements take place at the request of the parties, either because they are not ready to go to trial at the proper time, or they

Duration of suits.

wish for further time in the hopes of effecting a compromise, or for such like reasons; and it frequently happens that suits remain undisposed of by reason of the long time commissions to take evidence beyond the Court's jurisdiction, occupy in being executed. A commission is seldom executed within the period first fixed for its return, and then the time has to be enlarged. The same observations apply to commissions appointed either by the Court or at the request of the parties themselves to examine accounts, and the Court has hardly the power to prevent the delay. The Commissioners are usually business men who have their own affairs to attend to, and some consideration has to be shown them when either they or the suitors apply for an enlargement of the time, on the ground that they have not been able to make their report within the original specified period, either from press of their own business, or from the accounts being more intricate than was at first anticipated. Hence a much longer period elapses than would at first sight be deemed necessary for the disposal of cases, and this delay increases very materially the average time that suits are on the files of the Court.

Revenue and expenditure, 1873.

8. The revenue of the Court during the year 1873 amounted to Rs. 28,369-5-0, and the expenditure to Rs. 40,083-10-9, as will be seen by the following tabular statement :—

	Rs.	A.	P.		Rs.	A.	P.
Amount realized by stamps ..	26,813	13	0	Recorder's salary ..	24,548	0	3
Do. do. stamp penalty ..	63	12	0	Establishment ..	14,904	0	0
Do. do. talubana ..	1,267	4	0	Contingencies ..	631	4	6
Do. do. fines ..	221	4	0				
Do. do. sale of empty stationery boxes, &c. ..	3	4	0				
Total ..	28,369	5	0	Total ..	40,083	10	9

showing an excess of expenditure over receipts of Rs. 11,714-5-9.

Revenue and expenditure, 1872.

9. In 1872 the total revenue of the Court was Rs. 27,659-12-0, and the total expenditure Rs. 42,740-5-6, showing an excess of expenditure over receipts of Rs. 15,080-9-6. For several months of the year the full salary of the Recorder was not drawn by the Judicial Commissioner who officiated in the office.

10. During the year 1873 there was one appeal from the judgment of the late Recorder to the Privy Council, and this is still pending; and there was one to the High Court at Fort William, from an order on an application for execution of decree, which is also still pending.

Appeals to Privy Council and to High Court at Fort William.

11. CRIMINAL.—During the year 1873 there were 40 trials in the Recorder's Court as a Court of Session, and 3 as a High Court, in all 43 trials. Of these 33 were committed by the Magistrate and 10 by the Assistant Magistrate of the Town of Rangoon.

Number of trials, 1873.

12. There were also 13 appeals from the decisions of the Magistrate of Rangoon and 2 from the Assistant Magistrate disposed of. Of the Magistrate's cases 3 were modified and 2 quashed, and of the Assistant Magistrate's, one was modified and the other quashed, and the others were dismissed. There was one appeal from the decision of the Magistrate of Rangoon pending at the close of the year. This was a case in which the Burma Company were the appellants and the Government the respondent, and which remained pending until a successor to the late learned Recorder was appointed and could hear it.

Appeals from decisions of Town Magistrate and Assistant Magistrate, 1873.

13. In 1872 there were 39 trials by the Court of Session, 14 appeals from the decision of the Town Magistrate and one from the Cantonment Magistrate, or 15 in all.

Sessions trials and appeals, 1872.

14. The following table gives these statistics in counterview for the last three years:—

Counterview of statistics for 3 years.

YEAR.	Criminal trials during the year.	Criminal trials pending at the close of the year.	Criminal appeals.
1871 ...	38	4	16
1872 ...	39	3	15
1873 ...	43	...	16

15. Beside the above, there were nine Criminal Miscellaneous cases as follows.

Criminal Miscellaneous cases.

One, an enquiry into the loss of the ship *Jamsetjee Cursetjee Botelebho*, under the provisions of Act XV of 1863. In this case the Master's certificate was cancelled ;

Four applications as a Court of Revision under Section 297 of the Criminal Procedure Code ;

One, a reference by the Magistrate of Rangoon under Section 296 of the Criminal Procedure Code ;

Two, proceedings of the Magistrate of Rangoon under Sections 505 and 506, Criminal Procedure Code, confirmed by this Court under Section 507, Criminal Procedure Code ; and

One, a gambling case in which the accused was arrested by the Magistrate and Assistant Magistrate The case was reported to this Court under Section 64, Criminal Procedure Code. The accused was tried and sentenced by the Recorder to 3 months' rigorous imprisonment.

Appeals to Special Court.

16. During the year 1873 there were *five* appeals to the "Special Court" by persons convicted by the Recorder of Rangoon as a Court of Session, two of which were rejected and three were pending at the close of the year in consequence of the absence of the Recorder. These, however, have since been disposed of and the appeals in each case rejected.

C. J. WILKINSON,
Recorder.

COURTS OF SMALL CAUSES, RANGOON.

FIRST JUDGE'S COURT.

I HAVE the honor to submit the Annual Report on the Administration of the Court of Small Causes for the year 1873.

Appointment of a Second Judge.

2. The constitution of the Court itself has been modified during the year by the appointment of a Second Judge in the person of Moung Oon. The rules which regulate the distribution of work between the two Courts have been submitted to, and approved of, by the Government of India. Those rules leave it optional to all plaintiffs suing for sums less than Rs. 500, to elect which Court they will sue in, leaving a discretion with the First Judge to withdraw cases to his own Court under certain conditions. I do not consider that the rules themselves could be improved on, except on the hypothesis that the work of the Second Judge is so light that he might concurrently perform criminal duties—a proposal I would deprecate as much as possible. Even in this case the modification could only be to make it obligatory to file certain classes of cases in his Court, and as this would directly tend to lessen the work of the First Judge, I hesitate to recommend it, especially as the work there is not so heavy that any present limitation of it is necessary—perhaps, I should say, has not been so heavy since my tenure of office.

Changes in office of First Judge.

3. The person of the First Judge has been changed twice during the year—Mr. Macleod surrendered the office to Mr. Midwinter in April, and I assumed charge from Mr. Midwinter on the 22nd November, consequently my experience has been so short that I am unable to give any satisfactory review of the year under report. The report of the Second Judge is enclosed, so the figures I give will refer to the cases heard in my Court alone, unless otherwise mentioned.

Number of cases instituted, disposed of, and pending.

4. The total number of cases instituted (both Regular and Miscellaneous) was 5,957, as against 5,981 in 1872, when this Court heard all the cases. The number of Regular suits was 3,223, showing a decrease of 312 on the preceding year, and of Miscellaneous suits 2,734, showing

an increase of 288. The total number of all cases disposed of was 5,967, as against 5,914 in 1872. Of these 3,210 were Regular, indicating a decrease of 303 on 1872, and 2,757 were Miscellaneous, showing an increase of 356. The total number of cases pending at the close of the year was 187, as against 197 in 1872; 116 of these were Regular, showing an increase of 13, and 71 were Miscellaneous, showing a decrease of 23.

Increase of work in 1873.

5. Taking both Courts together, there has been a very considerable increase on the work of last year; the increment almost exactly corresponds with the total number of cases heard in the Second Judge's Court, viz., 1,176—1,200. The following table will exhibit the increase clearly :—

YEAR.	Number of Regular cases instituted during the year.	Number of Miscellaneous cases instituted during the year.	Total number of Regular and Miscellaneous cases instituted during the year.	Number of Regular cases disposed of during the year.	Number of Miscellaneous cases disposed of during the year.	Total number of Regular and Miscellaneous cases disposed of during the year.	Number of Regular cases pending at the close of the year.	Number of Miscellaneous cases pending at the close of the year.	Total number of Regular and Miscellaneous cases pending at the close of the year.
1873 ..	4,106	3,051	7,157	4,074	3,066	7,140	135	79	214
1872 ..	3,535	2,446	5,981	3,513	2,401	5,914	103	94	197
Increase ..	571	605	1,176	561	665	1,226	32	..	17
Decrease ..	..	..	..	..	..	..	..	15	..

Thus the work of the First Judge has almost remained constant, notwithstanding the relief afforded by the establishment of a second court.

6. The total number of cases disposed of in both Courts was 1,226 more in the year under review than in 1872, while the increase of 1872 over 1871 was only 364. This is a somewhat remarkable fact, and I am only able to afford a very partial explanation for it, which my slight acquaintance with Rangoon may perhaps be held to justify. The increase in Regular suits was 561 and in Miscellaneous suits 665. This cause alone will dispose of about half the increment given. Almost every Regular suit entails as a consequence one Miscellaneous suit. There are very frequently four or five such

suits arising out of a Regular case, but the average is about one. It is actually a little less. I shall consider, then, that there are in effect 561 more original cases in the year under review than in the preceding year, these all being distinct causes of action. In the first place it may be fairly stated with some degree of accuracy, that a multiplicity of tribunals has some effect, slight though it be, in encouraging litigation. Again, I understand that the past year has been one of very marked commercial activity. There has been new rice-mills and other industrial enterprises started, which alone would induce to attract an abnormal immigration to Rangoon itself. The immigrants would be mostly natives of Madras, and by far the largest proportion of the cases that I have heard have been between Madrassees. But there is another circumstance which may further be used as an additional argument for the absolute retention of the appointment of the Second Judge. The following statement will show the number of Regular cases in 1872 and 1873, in which both parties were Burmans. It should be remembered that the Second Judge's Court was not constituted till April :—

	1872.	1873.
First Judge's Court	272	58
Second Judge's Court	...	446
Total ...	272	504

There was thus an increase of 233 Burman cases alone, or almost twice the number in 1873 than there were in 1872. This would seem to indicate that the Burmans feel much more confidence in a Judge of their own race than in a European. Hardly a single case between Burmans, which is not taken out of Moung Oon's jurisdiction by the pecuniary proviso, is ever filed in my Court now. It is a singular contrast to the state of things in India, where a litigant's first prayer, especially if he be poor and his claim a true one, is, that his case may not be sent to a native Tehsildar or Deputy to decide. Whatever other conclusions may be deduced from these figures, they at least evidence the almost exclusive confidence of Burman litigants in a Burman Judge. Beyond these causes I can assign no further ones for the somewhat remarkable increase that has taken place.

Value of cases. Increase in 1873.

7. The increase in the value of the property in litigation is no less remarkable than the increase in the number of suits themselves. The value of the property litigated in my

Court alone was Rs. 2,89,227, showing an increase over the result of 1872 of Rs. 15,413. But taking the two Courts together the increase in value over last year was Rs. 70,005. The reason of this increase is principally owing to the increase in the number of suits themselves, and (though this is conjectural in a great measure) to the rapid accretion of wealth, and the increasing value of property in Rangoon. The extreme peculiarity of the increase will be evident when it is stated that the value of litigated property in 1872 was only Rs. 647 greater than that of 1871.

Duration of cases.

8. I append a detailed statement showing the duration of the different classes of cases. The average is spoilt by the custom of keeping a dormant file, on which, for certain reasons, cases are placed till more than six months shall have expired from the date of their being so placed. If no action be taken in them earlier, they are then struck off at the close of each half year. The total number of Regular suits was 3,210, and the days they occupied 53,104, giving an average of 16½ days for each case. Out of these 917 were contested and had a duration of 12 days, but this average is again raised by 28 of them being pending cases from 1872, the average duration of which was 52 days. The total number of uncontested cases was 2,293, which averaged 18 days, or half as much again as the contested ones. The reasons for this are, the delay arising from the frequent inability to serve the summons on first issue. Out of these there were 75 cases pending from 1872, which averaged 83 days each, leaving 2,218 instituted in and decided in 1873, with an average of 16 days. No deduction whatever can be formed from the average of both Courts together, so I forward the tables without comment. The average of my Court compares favourably with that of the preceding year, when the average duration of all suits was 17⅓ days, against 16½ days in 1873, though *primâ facie* the frequent changes of Judges would seem to justify a higher average.

Tables of average duration of Suits heard in the Court of the First Judge during 1873.

Total number of cases decided.	Number of days they occupied.	Average.	Number of contested cases decided.	Number of days they occupied.	Average.	Number of uncontested cases decided.	Number of days they occupied.	Average.
3,210	53,104	16½	917	11,194	12	2,293	41,910	18

Of Suits left pending at end of 1872 *and heard in* 1873.

Total number of cases left pending at end of 1872 and heard in 1873.	Number of days they occupied.	Average.	Number of contested cases of 1872 heard in 1873.	Number of days they occupied.	Average.	Number of uncontested cases of 1872 heard in 1873.	Number of days they occupied.	Average.
103	7,749	75	28	1,452	52	75	6,297	83

Of Suits struck off.

Total number of cases struck off.	Number of days they occupied.	Average.	Number of cases left pending at end of 1872 and struck off at end of the first half year.	Number of days they occupied.	Average.	Number of cases of 1873 struck off at end of the second half year.	Number of days they occupied.	Average.
82	20,441	249	16	3,721	232	66	16,720	253

Of Suits heard in both Courts during 1873.

Total number of cases decided.	Number of days they occupied.	Average.	Number of contested cases decided.	Number of days they occupied.	Average.	Number of uncontested cases decided.	Number of days they occupied.	Average.
4,074	59,444	14½	1,079	13,020	12	2,995	46,415	15

Value of stamps.

9. The value of the stamps used in my Court was Rs. 23,718, as against Rs. 23,104 last year, showing an increase of Rs. 614-2-0,—a direct consequence of the increase in the value of litigated property. The total increase in both

Courts was Rs. 5,129-2-0, partly due to the increase in value of the property in suit and partly to the increase of suits.

YEAR.	Value of stamps realized on Regular cases during the year.	Value of stamps realized on Miscellaneous cases during the year.	Total value of stamps realized on Regular and Miscellaneous cases during the year.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
1873	26,167 11 0	2,065 6 0	28,233 1 0
1872	21,586 0 0	1,517 14 0	23,103 14 0
Increase ...	4,581 11 0	547 8 0	5,129 3 0

10. The revenue follows the stamps, and shows an increase of Rs. 741 in my Court alone, and of Rs. 7,100 in both Courts.

YEAR.	Amount of revenue realized in the Court of the First Judge during the year.	Amount of revenue realized in the Court of the Second Judge during the year.	Total amount of revenue realized in both courts during the year.
	Rs. A. P	Rs. A. P.	Rs. A. P.
1873	29,625 1 0	6,358 15 0	35,984 0 0
1872	28,883 12 0	...	28,883 12 0
Increase	741 5 0	...	7,100 4 0

Receipts and expenditure.

11. A detailed statement of receipts and expenditure, and of the longest pending cases, are herewith submitted.

Office establishment.

12. I have the greatest pleasure in testifying my entire satisfaction of the conduct of all my subordinates. Mr. Marsh is an invaluable assistant to me; the interpreters are stated to be unsurpassed in Rangoon, and the whole office is as good as it can be. I have several times inspected it myself, but as there is a great deal of work done there by advocates and suitors, which I have no opportunity of seeing, I made enquiries from some gentlemen at the bar, and they concurred in bearing testimony to the excellence of the arrangements: I myself could not wish for a better office.

13. During my tenure of office I have had occasion to frame one or two rules which, perhaps, do not call for remark here. One, however, I must notice, as it may effect the returns of future years to some slight extent. It used to be the practice formerly to allow the process fees to be paid in any day up to the one before that fixed for hearing the suit. The natural consequence was that in many cases the summons was served so late that the defendant had neither the time to prepare a defence nor to subpœna witnesses, if he had any. The result was aggravating both to the Court and the defendant. Accordingly, I made a rule that all plaints should be at once struck off on the failure of the plaintiff to pay in the process fee by the evening of the third day after institution. As the file is always kept about a weak ahead of the cases for hearing, the rule seems to answer the purpose, and it has hitherto acted admirably. Moreover, it cannot be productive of any hardship to the plaintiff, as he has a cheap remedy under Section 7, Act XXIII of 1861.

Introduction of new rules.

14. I have to point out that one of the returns—viz., Judicial Statement No. 7, Civil—has been prepared this year on a different basis to that of former years. Previously to this year it was erroneously shown to represent the value of suits instituted instead of the value of suits disposed of, which I apprehend to be the correct interpretation of it. This error has now been corrected.

Correction in Statement No. 7, Civil.

15. The increase of records is so great that there is no room in the office to contain more. There is very little space allowed, and the office contains the accumulated records of Small Cause Court cases since the institution of the Court in 1864. I would solicit sanction for the destruction of all cases decided more than eight years ago, and by this means the present accommodation will suffice. If this course cannot be sanctioned, and there are obvious objections to it, though, perhaps, not very vital ones, I would ask the Town Engineer be requested to arrange for more room being allotted to the Small Cause Court.

Insufficiency of office room.

16. Nothing else seems to call for remark.

E. J. SINKINSON,
Officiating First Judge.

A.—*Statement of Receipts and Expenditure for the year* 1873.

Court of First Judge.	Rs.	A.	P.	Rs.	A.	P.	*Court of First Judge.*	Rs.	A.	P.	Rs.	A.	P.
Amount realized by stamps on Regular suits	21,894	0	0				Judge's pay	...			9,366	10	8
Do. do. Miscellaneous cases...	1,824	0	0				Establishment	5,256	0	0	...		
				23,718	0	0	Contingencies	326	12	9			
Tullubana fund	...			5,613	2	0					5,582	12	9
Fines	...			44	2	0	Travelling allowance ...	...			189	15	0
Stamp penalty on insufficiently stamped documents ...	...			239	1	0							
Sale of unserviceable office furniture	...			5	8	0							
Sale of six empty stationery cases ...	...			5	4	0							
Court of Second Judge.							*Court of Second Judge.*						
Amount realized by stamps on regular suits	4,273	11	0				Judge's pay	...			3,600	0	0
Do. do. Miscellaneous cases ...	241	6	0				Establishment	1,200	0	0			
				4,515	1	0	Contingencies	191	8	0			
											1,391	8	0
Tullubana fund	...			1,806	6	0	Purchase of furniture ...	...			370	0	0
Fines	...			...			Total ...	...			20,500	14	5
Stamp penalty on insufficiently stamped documents ...	...			37	8	0	Balance of receipt over expenditure...	...			15,483	1	7
TOTAL ...	...			35,984	0	0	GRAND TOTAL ...	...			35,984	0	0

B.—*Cases longest pending in* 1873.

Reglr. 2389 of 1872—instituted 6th September 1872; decided 6th January 1873; duration 123 days. The hearing of this case was delayed on account of the defendant's absence from Rangoon on public business.

Do. 2083 „—instituted 7th August 1872; decided 13th January 1873; duration 160 days. The hearing of this case was deferred till the return of three commissions issued to examine absent witnesses at Henzada, Thayetmyo, and Yandoon.

Do. 3248 „—instituted 25th November 1872; decided 5th February 1873; duration 73 days. The hearing of this case was delayed owing to the absence of the plaintiff. The action was brought by his Attorney, and as his evidence was material, a commission to examine him was twice sent to Surat, and both times it was returned unexecuted.

Do. 2455 „—instituted 11th September 1872; decided 10th February 1873; duration 153 days. In this case the defendant was sued by the Attorney of the plaintiff, who was a resident of Madura, and a commission had to be sent to Madura to take the plaintiff's evidence.

Do. 2884 „—instituted 28th October 1872; decided 13th February 1873; duration 109 days. Owing to the defendant quitting Rangoon after the institution of the suit and before he was served with summons, the case had to lie over till his return.

Do. 2927 „—instituted 30th October 1872; decided 14th February 1873; duration 107 days. In this case the evidence of two absent witnesses had to be obtained by a commission from Madura before the case could be heard and decided.

Do. 3526 „—instituted 20th December 1872; decided 28th February 1873; duration 7 days. In this case the leave of the High Court had to be obtained before suit could proceed, as one of the defendants was a resident of Chittagong, and summons had to be served on him through the Court at that place.

Do. 138 „—instituted 16th January; decided 15th May 1873; duration 120 days. This case had to lie over owing to the defendant having had to leave Rangoon on public business soon after the receipt of summons. Not having returned within a reasonable time, the case was further adjourned, and a commission sent to Akyab to take his evidence.

Do. 346 „—instituted 6th February; decided 20th May 1873; duration 102 days. The defendant in this case was the Master of a vessel, and was served with summons a few days before his vessel cleared for Chittagong. The case was adjourned *sine die* to enable him to defend the suit on his return. The case was, however, heard in his absence on the 20th May, on the motion of plaintiff's Counsel, who represented to the Court that the defendant could not return to Rangoon as his vessel had cleared Chittagong for Mauritius.

Do. 730 „—instituted 14th March; decided 26th June 1870; duration 105 days. The plaintiff in this case was a Shipmaster, and left for the Straits soon after suit was instituted. The case had to stand over till his return.

Do. 973 & 974 „—two cases brought against a Shipmaster for short delivery of rice at Bombay. They were heard and decided on 1st September 1873, after the evidence of the witnesses at Bombay was obtained by commissions. Duration of each suit 148 days.

Do. 2078 „—instituted 18th August; decided 8th December 1873; duration 114 days. The High Court's leave had to be obtained before the suit could be entertained, as one of the defendants was a resident of Moulmein. The summons was not applied for till long after the receipt of the High Court's order, hence the unnecessary delay.

SECOND JUDGE'S COURT.

[*Report on Administration for ten months from 1st March to 31st December* 1873.]

Number of cases instituted, disposed of, and pending.

THE number of Regular cases instituted was 883, the number of Miscellaneous cases filed was 317, total number of cases filed 1,200. The number of Regular cases disposed of was 864, leaving 19 cases pending at the end of the year. The number of Miscellaneous cases disposed of was 309, leaving 8 cases pending at the end of the year.

Value of Regular cases.

The 883 Regular cases filed in 1873 represented a value of Rs. 54,291-12-7.

Revenue and expenditure.

The receipts on account of stamps, fees, &c., during the ten months amounted to Rs. 6,358-15-0; the cost of establishment, including Judge's pay, purchase of furniture, and contingent charges, was Rs. 5,361-8-0, showing a saving of Rs. 997-7-0.

Duration of cases—

Cases.			No. of days.	Average duration.
162	contested cases disposed of	...	1,835	11
702	uncontested do. do	...	4,505	6½
864	cases disposed of	...	6,340	7 days

There were no cases pending on the file of my Court for more than a month.

Office establishment.

In concluding this short report, I beg to record my satisfaction of the manner in which the Head Clerk, Moung Ghee, discharged his duties.

MOUNG OON,
Second Judge.

MAGISTRATE'S COURT, RANGOON.

From CAPTAIN R. C. EVANSON, Town Magistrate of Rangoon, to the Recorder of Rangoon,—dated the 11th April 1874.

I HAVE the honor to forward the Annual Report on the Administration of Criminal Justice in the Town of Rangoon for the past year.

Bailable and non-bailable offences.

The subjoined table shows the number of offences bailable and non-bailable reported during the year, and the number of persons brought to trial, convicted and acquitted, as compared with similar result for the preceding year :—

YEAR.	NUMBER OF OFFENCES REPORTED DURING THE YEAR.			Number of persons brought to trial	Acquitted.	Convicted.
	Non-bailable.	Bailable.	Total.			
1872	522	3,088	3,610	6,596	2,477	4,061
1873	946	2,077	3,923	6,000	1,259	5,098
Increase ..	424	..	313	304	..	1,037
Decrease ..	..	111	..	..	1,218	..

Number of cases in 1872 and 1873 reviewed.

2. The increase in non-bailable cases is very large, and is mainly under thefts and possession of stolen property. Thefts reported in 1872 were 375, whereas in 1873 they amounted to 707. Of these 417 were cases in which no person was brought to trial. Many of these were very doubtful cases. People have been encouraged to complain, and police officers enjoined to attend carefully to, and enter all complaints in their books. It may be said now with safety that crime has not been burked to any extent, and the Magistrate is of opinion that the people bring to light their grievances much more through the police than they did in former years. This

will account in some measure for a portion of the large increase. In 1872, 260 non-bailable cases in all were "brought to trial," and in 1873, 340 were brought to trial. This gives an increase of only 80, whereas in the "reported cases" there is an increase of 424. In other words, non-bailable cases have not, in the Magistrate's opinion, increased in the same ratio as the increase in reports of cases that were not heard of in former years.

Murder. 3. Murders show an increase of one over 1872.

Culpable homicide. Culpable homicide not amounting to murder—no increase.

Attempt at murder. Attempt at murder—no increase.

Robbery. Robbery compares very unfavourably, for there is an increase of six.

Dacoity. There was an increase of one dacoity.

Non-bailable cases. 4. Under the heading Non-bailable cases all of the most petty nature are included.

Bailable cases. 5. The decrease in bailable cases calls for no remark.

Remarks on violent crime. 6. The Magistrate will touch briefly on the cases of violent crime :—

First case. Convict Nga Htoon killed convict Nga Koon in the jail by striking him with a block of wood on his head, causing instantaneous death. No excuse was given by the defendant for this, except that he was tired of prison life and wished to be hanged.

The *second case* arose out of an altercation between the Steward and Chief Officer on board the *Isle of Wight*. The Steward stabbed the Chief Officer, who died in three days; there was provocation. The Steward was sentenced to penal servitude for life.

The *third case* was wife murder in a boat. Murderer, a Chinaman, was found concealed in a Chinaman's house and senseless from opium. He died in a few hours.

The *fourth case* is enveloped in mistery. A man was found shot in a garden at Kemendine; although careful investigation was made, it is impossible to say who shot him. It is suspected that the deceased was a thief, and was shot by some person on the watch in the garden, or by a policeman. At the time of this murder the police were on

the look-out for an escaped murderer Nga Shwe Gyaw, *alias* Tsai Galay, for whose apprehension a reward of Rs. 500 had been offered. It was thought that a policeman might have fired at the deceased believing him to be Nga Shwe Gyaw. This case led to the dismissal of Head Constable Moung Phozan. Who caused deceased's death still remains a mystery.

The *fifth case* was the riot in the jail on the morning of the 19th August last, during which a prisoner was killed and several others severely wounded. A magisterial enquiry was held in the jail. Six were committed to the Sessions Court, two for murder and the others for rioting when the murder was committed. One was found guilty of murder and sentenced to death ; three convicted of rioting and sentenced to three years' rigorous imprisonment each ; two were acquitted.

The *sixth case,* poisoning, in which the accused was acquitted.

The *seventh case,* attempted wife murder.—Accused was found guilty of voluntarily causing hurt, and sentenced to two years' rigorous imprisonment.

The *eighth case.*—The accused stabbed his wife in several parts of her body on discovering her lying with another man. Convicted under Section 304, and sentenced to three years' rigorous imprisonment.

The *ninth case.*—A prisoner in jail killed a fellow prisoner by a blow with a stick. He was found guilty under Section 304, and sentenced to one years' rigorous imprisonment.

The *tenth case.*—Two men fought in a boat, one was killed by a blow on the head during the fight. Accused was found guilty and sentenced to ten years' transportation.

The *eleventh case*—Two natives of India quarrelled at a well. A Burmese woman was accused of having killed one of them by a blow with a club on his head. She was tried under Section 304 and acquitted.

The *twelfth case.*—This is a case in which the crime of culpable homicide was committed in 1872 by Kyan Nyo who fled to Upper Burma. He was arrested and brought back in 1873; found guilty under

Section 304, and sentenced to two years' rigorous imprisonment. He is the Burman alluded to in paragraph 22 of the Magistrate's Report of 1872.

The *thirteenth case.*—Than Oo was accused of dacoity in 1871. Tried under Section 391 and acquitted.

The *fourteenth case,* reported robbery in a boat. No apprehension.

The *fifteenth case.*—Shoay Tha accused of robbing Mah Moh. Discharged.

The *sixteenth case.*—Three Burmans accused of robbery in a boat lying on the river bank, in which they attacked a man and his wife, and took away all their property. Convicted under Section 392, and sentenced to seven years' rigorous imprisonment.

The *seventeenth case.*—A Rangoon Jail prisoner assisted by a jail peon robbed a cartman of Rs. 15. Prisoner found guilty and sentenced to one year's rigorous imprisonment. Peon found guilty under Section 411, and sentenced to 18 months' rigorous imprisonment.

The *eighteenth case.*—Accused, a Burman, robbed a Chinaman of Rs. 6-8. Sentenced to 18 months' rigorous imprisonment under Section 392.

The *nineteenth case,* robbery in a house at Kemendine. Most of the property was traced, and four alleged perpetrators were arrested; two escaped from police custody while pending trial; the other two were acquitted.

The *twentieth case.*—A blind beggar was attacked and robbed of Rs. 4 and a *putsoe* by two men whom he could not identify. No arrest.

7. The foregoing cases are those of the most serious character, and as they have been given in full detail in the Police Report, the Magistrate only alludes to them here very briefly. The other non-bailable cases are thefts, possession of stolen property, and house-breaking. Out of 495 cases brought to trial, there were 452 convictions. This shows 91·0155 per cent. convicted.

Summary of cases.

8. The annexed table shows the work performed by the several Magistrates, the results of trials held before them, and the state of their files at the close of the year 1873.

CLASS OF TRIBUNAL AND NAME OF MAGISTRATE.	Number of persons under trial during the year.	Discharged without trial.	Acquitted.	Convicted.	Committed.	Died, escaped, or transferred.	REMAINING UNDER TRIAL. In custody.	REMAINING UNDER TRIAL. On bail recognizance.	Number of persons under trial at the close of the year whose cases have been pending over six weeks.
Captain R. C. Evanson, First Class Magistrate	3,883	411	219	3,207	89	2	1	4	Nil.
Assistant Magistrate	3,017	74	1,040	1,891	11	1	..	..	do.
TOTAL ..	6,900	485	1,259	5,098	50	3	1	4	do.

9. The cases shown as pending trial occurred during the Christmas holidays.

Explanation of results shown in Assistant Magistrate's report.

10. A copy of the Assistant Magistrate's report is forwarded. When remarking on the satisfactory results in the diminution of the cases, he of course only considers the cases actually brought before his Court, without in any way taking into consideration the offences *reported* and not brought to trial.

Summary of sentences.

11. The subjoined table shows the punishments inflicted by the different magisterial authorities.—

CLASS OF TRIBUNAL AND NAME OF MAGISTRATE.	PERSONS SENTENCED TO: Solitary confinement.	Simple imprisonment.	Rigorous imprisonment.	Fine.	Whipping.	PERSONS ORDERED TO: Give recognizance or security to keep the peace.	Number of persons gave security for good behaviour out of those ordered.	AMOUNT OF FINES: Imposed.	Realized.	Awarded as compensation.
Captain R. C. Evanson, First Class Magistrate..	5	82	454	2,247	68	23	10	Rs. 52,795-8-3	Rs. 39,437-0-3	Re 182
Lieutenant C. H. E. Adamson, Assistant Magistrate ..	..	2	134	1,719	30	..	6			
TOTAL ..	5	84	588	3,966	98	23	16			

Bad livelihood.

12. Under Chapter XXXVIII of the Criminal Procedure Code, 138 persons were brought before the Magistrate for bad livelihood, 98 of whom were ordered to furnish security. Out of these only 16 were able to comply with the order. This will show that the increase in reported crimes is not due to a want of action under this Chapter in bringing up suspicious characters.

Duration of cases.

13. The annexed table shows detention of witnesses and the average duration of cases.

Class of Tribunal and name of Magistrate.	Number of Witnesses discharged after				Average duration of Cases.	
	1 day.	2 days.	3 days.	More than 3 days.	For previous year.	For year under review.
Captain R. C. Evanson, First Class Magistrate ..	538	199	36	12	3 days.	2¼ days.
Lieutenant C H. E. Adamson, Assistant Magistrate	1,070	64	47	8	3 do	2¼ do.
Total ..	1,608	263	83	20		

General Remarks.

Working of Police Officers.

14. The police force was numerically weak in proportion to the increasing duties and the general requirements. The Magistrate would invite attention to his remark last year regarding Inspectors and Head Constables, and he regrets that he is unable to record that any marked general improvement has taken place in respect to the matter complained of in 1872.

Chinese.

15. The Chinese were very orderly and good citizens during the year, and up to the date of writing this report there has been no cause for any steps against them under the Criminal Procedure Code as heretofore.

Hindoos.

16. The Hindoo community were troublesome, and a fight was imminent regarding leadership in the temple situated in 24th Street. Five leaders

were ordered to furnish recognizance bonds to keep the peace in Rs. 1,000 each.

Drunkenness.

17. Although not observable by a reference to the returns, there has been an increase in the offence of drunkenness. In comparison with the large number of ships in port, the brisk trade, and increasing population, the number of persons brought before the Magistrate need not be thought excessive; greater severity in punishments has been adopted since the increase has been noticed. There were in 1872, 331 persons brought up, and in 1873, 603.

Nationalities of offenders.

18. The following memorandum shows the nationalities of all offenders brought before Courts during the year :—

Nationalities	1872	1873.
Burmese	2,135	2,740
Chinese	403	394
Natives of Bengal and Upper India ...	1,002	1,531
Madrassees	2,579	1,978
Chittagonians	301	148
Europeans and East Indians	176	109
Total ...	6,596	6,900

Whipping.

19. A large number of offenders were punished under the Whipping Act.

Office establishment.

The Magistrate has nothing to add to what he said last year regarding Police Officers and his Judicial Clerk.

P.S.—I regret that this report has been delayed in consequence of other heavy judicial and revenue work.

ASSISTANT MAGISTRATE'S COURT, RANGOON.

From H. BOILEAU, ESQ, Assistant Magistrate, Rangoon, to the Town Magistrate of Rangoon,—dated the 2nd March 1874.

I HAVE the honor to submit the returns of the Assistant Magistrate's Court for the past year. I have to regret that owing to the short period during which I have officiated as Assistant Magistrate my remarks must be limited to a comparison of the returns of the year 1872 to those of 1873.

2. On reference to Table I, it appears that the number of cases reported and tried during the year 1873 is considerably less than that of the preceding year. The non-bailable cases are less by 24, the bailable by 456, and yet, although the aggregate number of persons tried is less by 731 than that of the previous year, there have been 116 more convictions.

Decrease in number of cases reported and tried, and in persons brought to trial.
Increase in convictions.

3. The most remarkable decrease is apparent in the cases of assault and insult, in which alone there is a decrease of 541 cases; still more than one-third of the cases tried in the Assistant Magistrate's Court are cases of this nature, the trivial nature of which may be presumed by the comparison of the number of persons accused with the number of those convicted. It still appears to be a prevalent custom to bring charges of assault and abuse with the ulterior view of inducing payment of small debts that may be due. The cases of theft are also less by 42. I think the above results may be considered satisfactory.

Details of decrease in number of cases.

4. Table IV also shows that the average duration of cases before the Assistant Magistrate's Court is less by half a day: the average duration in the year 1872 being 3 days, that of 1873, 2½.

Duration of cases.

PART II.

Courts under the supervision of the Judicial Commissioner.

(A).—CIVIL.

From J. D. SANDFORD, Esq., Judicial Commissioner, British Burma, to the Officiating Secretary to the Chief Commissioner, British Burma,—No. 355-76, dated Rangoon, the 28th April 1874.

I HAVE the honor to forward the Annual Report on the Administration of Civil Justice in British Burma (exclusive of the Town of Rangoon) for the year 1873, together with a set of statistical returns.

2. The subjoined table shows the number of cases instituted in the different Courts of original jurisdiction, the number disposed of, and the state of the files at the close of the year, as compared with the similar results for the preceding year :—

Summary of cases instituted.

	Class of Court.	Instituted.		Disposed of.		Pending at close of Year.			
						Above 4 months.		Total pending.	
		1872.	1873.	1872.	1873.	1872.	1873.	1872.	1873.
Akyab.	Extra Assistant Commissioners, 3rd class..	748	838	750	837	..	..	..	1
	Do. do. 2nd and 1st class, and Assistant Commissioner ..	920	546	916	555	..	..	12	3
	Deputy Commissioner	1	1	1	1	..	..	..	..
	Small Cause Court ..	267	928	267	928	..	..	..	..
	Total ..	1,936	2,303	1,934	2,871	..	..	12	4
	Increase ..	..	427	..	437	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	8

	Class of Court.	Instituted.		Disposed of.		Pending at close of Year.			
						Above 4 months.		Total pending.	
		1872.	1873.	1872.	1873.	1872.	1873.	1872.	1873.
Kyouk-hpyoo.	Extra Assistant Commissioners, 3rd class..	513	405	513	404	..	..	..	1
	Do. do. 2nd and 1st class, and Assistant Commissioner ..	216	805	218	803	..	..	..	2
	Deputy Commissioner	..	..	..	..	..	..	..	..
	Total ..	729	710	731	707	..	..	..	3
	Increase ..	..	..	..	..	..	..	..	3
	Decrease ..	..	19	..	24	..	..	..	..
Sandoway.	Extra Assistant Commissioners, 3rd class	173	350	173	350	..	..	..	..
	Do. do. 2nd and 1st class, and Assistant Commissioner ..	192	83	192	83	..	..	..	..
	Deputy Commissioner	..	1	..	1	..	..	..	..
	Total ..	365	434	365	434	..	..	..	..
	Increase ..	..	69	..	69	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	..
N. Arakan.	Extra Assistant Commissioner, 3rd class..	14	23	14	23	..	..	..	..
	Do. do. 2nd and 1st class, and Assistant Commissioner ..	..	..	..	..	..	..	..	..
	Deputy Commissioner	14	18	14	18	..	..	..	..
	Total ..	28	41	28	41	..	..	..	..
	Increase ..	..	13	..	13	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	..
Rangoon.	Extra Assistant Commissioners, 3rd class	1,785	1,207	1,781	1,269	..	..	20	18
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	298	925	830	921	1	1	10	14
	Deputy Commissioner	4	..	4	..	..	..	..	..
	Total ..	2,087	2,192	2,115	2,190	1	1	30	32
	Increase ..	..	105	..	75	..	..	..	2
	Decrease ..	..	..	..	..	..	..	..	..
Bassein.	Extra Assistant Commissioners, 3rd class..	1,151	1,558	1,148	1,555	..	..	5	11
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	1,381	1,581	1,385	1,566	..	..	7	19
	Deputy Commissioner	2	4	4	4	..	..	..	..
	Total ..	2,534	3,143	2,537	3,125	..	..	12	30
	Increase ..	..	609	..	588	..	..	..	18
	Decrease ..	..	..	..	..	..	..	..	..

	Class of Court.	Instituted.		Disposed of.		Pending at close of year.			
						Above 4 months.		Total pending	
		1872.	1873.	1872.	1873.	1872.	1873.	1872.	1873.
Henzada.	Extra Assistant Commissioners, 3rd class..	1,806	1,827	1,801	1,829	..	..	5	3
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	881	1,242	881	1,236	..	..	..	6
	Deputy Commissioner	..	1	..	1	..	..	..	..
	Total ..	2,687	3,070	2,682	3,066	..	..	5	9
	Increase ..	..	383	..	384	..	..	..	4
	Decrease ..	..	..	..	..	..	..	..	..
Prome.	Extra Assistant Commissioners, 3rd class	1,236	887	1,227	898	3	..	11	..
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	872	1,077	865	1,077	2	2	17	17
	Deputy Commissioner	1	3	1	3	..	..	..	..
	Total ..	2,109	1,967	2,093	1,978	5	2	28	17
	Increase ..	..	..	..	..	..	..	..	..
	Decrease ..	..	142	..	115	..	3	..	11
Thayetmyo.	Extra Assistant Commissioners, 3rd class..	734	774	720	701	..	..	25	9
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	379	509	372	611	..	..	10	6
	Deputy Commissioner	2	1	2	1	..	..	..	..
	Total ..	1,115	1,374	1,094	1,403	..	..	35	15
	Increase ..	..	259	..	309	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	20
Amherst.	Extra Assistant Commissioners, 3rd class..	811	957	818	964	..	..	21	14
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	66	23	69	25	1	..	6	4
	Deputy Commissioner	5	1	3	3	..	..	2	..
	Total ..	882	981	890	992	1	..	29	18
	Increase ..	..	99	..	102	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	11
Shwegyeen.	Extra Assistant Commissioners, 3rd class	606	692	609	680	2	..	16	
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	313	243	318	239	2	..	..	4
	Deputy Commissioner	3	1	3	1	..	..	..	..
	Total ..	922	936	930	920	4	..	16	32
	Increase ..	..	14	..	..	..	..	..	16
	Decrease ..	..	..	..	10	..	4	..	..

	Class of Court.	Instituted.		Disposed of.		Pending at close of year.			
						Above 4 months.		Total pending.	
		1872.	1873.	1872.	1873.	1872.	1873.	1872.	1873.
Toungoo.	Extra Assistant Commissioners, 3rd class	575	636	575	636	..	..	..	..
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	995	956	975	972	1	..	19	4
	Deputy Commissioner	4	2	4	2	..	..	..	..
	Total ..	1,574	1,594	1,554	1,610	1	..	19	4
	Increase ..	..	20	..	56	..	..	..	..
	Decrease ..	..	..	..	..	..	1	..	15
Tavoy.	Extra Assistant Commissioners, 3rd class	328	348	332	348	..	..	..	..
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	176	174	176	175	..	..	2	1
	Deputy Commissioner	..	2	..	1	..	..	..	1
	Total ..	504	524	508	524	..	..	2	2
	Increase ..	..	20	..	16	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	..
Mergui.	Extra Assistant Commissioners, 3rd class	79	166	79	166	..	..	..	..
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	515	749	508	742	..	..	7	..
	Deputy Commissioner	25	21	16	21	..	..	9	..
	Total ..	619	936	603	936	..	..	16	..
	Increase ..	..	317	..	333	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	..
Salween.	Extra Assistant Commissioner, 3rd class ..	33	33	33	33	..	..	..	..
	Assistant Commissioner	3	5	3	5	..	..	..	..
	Total ..	36	38	36	38	..	..	..	..
	Increase ..	..	2	..	2	..	..	..	..
	Decrease ..	..	..	..	..	..	..	..	..
Moulmein.	Judge's Court ..	415	283	392	318	10	2	49	14
	Small Cause side ..	2,358	2,705	2,407	2,807	..	..	172	70
	Total ..	2,773	2,988	2,799	3,125	10	2	221	84
	Increase ..	..	215	..	326	..	..	..	..
	Decrease ..	..	..	..	..	..	8	..	137
Total.	Extra Assistant Commissioners, 3rd class ..	10,592	10,811	10,573	10,833	5	..	103	85
	Do. do. 2nd and 1st class, and Assistant Commissioners ..	7,207	8,508	7,208	8,517	7	2	90	80
	Deputy Commissioners	61	56	52	57	..	1	11	1
	Judges' Court ..	457	283	392	318	10	2	49	14
	Small Cause Courts ..	2,919	3,633	2,674	3,735	..	..	172	70
	Total ..	21,236	23,291	20,899	23,460	22	5	425	250
	Increase ..	..	2,055	..	2,561	..	..	..	..
	Decrease ..	..	..	..	..	..	17	..	175

3. There is shown to be a very considerable increase, nearly 10 per cent., in the litigation. The number of suits instituted amounted to 23,291. The increase was common to all districts except Kyouk-hpyoo and Prome. In the last-mentioned district outbreaks of small-pox and cholera are assigned as the cause of the decrease. In Kyouk-hpyoo the decrease is too small to require explanation.

Increase of litigation in all districts except Kyouk-hpyoo and Prome.

4. There was a large decrease in one of the townships of the Rangoon District, viz., in An-gyee, where the number of institutions fell off from 231 to 139. The Deputy Commissioner writes that the township is a large one, and that the Extra Assistant Commissioner was constantly moving about, so that many people did not know where to find him, and hence settled their cases among themselves. It appears to me that this is a serious evil, and I have informed Major Street that the Extra Assistant Commissioner must for the future pre-arrange and give timely notice of his movements.

Decrease in An-gyee Township, Rangoon District.

5. The increase is most conspicuous in the Districts of Bassein, Akyab, and Mergui. In Bassein the increase was very large, viz. 609. In Akyab the larger number of cases instituted is directly attributable to the establishment of a Court of Small Causes. In Mergui the increase is very remarkable, being more than 50 per cent., and is traced by the Deputy Commissioner to prosperity among the people and the visits of trading steamers.

Increase in Bassein, Akyab, and Mergui.

6. Elsewhere the increased amount of litigation is attributed, I have no doubt correctly, to a gradually increasing population and a greater activity in trade.

Increase in other districts.

7. It is satisfactory to see that the Courts are able to dispose of the litigation without delay, and that in no case have arrears been allowed to accumulate. An unencumbered file at the close of the year is everywhere shown, and only five cases in the province had been pending for more than four months. Of these, two belong to the Court of Moulmein, and a third to the Assistant Commissioner's Court at Rangoon. The issue of commissions to distant places is the explanation of the delay in these cases, and the delay in two cases pending more than four months in the Prome District, is said to be a difficulty in serving processes on parties resident in Bassein. This excuse is by no

Pending cases.

means satisfactory, and I have called upon the Deputy Commissioner to explain the reason of the difficulty, and who is responsible for the delay.

8. There is a large decrease in the number of suits left pending in the Court of the Judge of the Town of Moulmein, which is creditable to Mr. Macleod.

9. It may be remarked that there was a decrease in the number of cases instituted in the regular side of this Court, and a more than corresponding increase in the Small Cause side. The reason is that the Court has ceased to exercise the summary procedure on bills-of-exchange provided by Act V of 1866, and suits on such bills coming within its pecuniary jurisdiction are now instituted in the Small Cause side. The general litigation in the Court has increased, and the number of suits falls little short of the largest number ever instituted in the Recorder's Court.

Amount of litigation largest in Henzada and Bassein, smallest in Sandoway.

10. The largest amount of litigation took place in the Districts of Henzada and Bassein, in both of which districts the number of suits instituted exceeded 2,000; and, putting aside the Districts of the Salween and the Arakan Hill Tracts, the smallest amount of litigation took place, as in 1872, in Sandoway. The Extra Assistant Commissioner at Bassein heard 1,159 cases. His time is exclusively devoted to civil work, and this, I consider, to be a desirable arrangement.

Character of original litigation.

11. The next table shows the character of the original litigation in the different districts and classes of Courts :—

	Class of Court.	Number of suits instituted for					No. of the preceding cognizable by a Court of Small Causes up to Rs. 500.
		Money due on contract.	Movable property.	Damages.	Personal rights.	Immovable property.	
Akyab ..	Extra Assistant Commissioners, 3rd class	121	655	32	20	46	874
	Extra Assistant Commissioner 2nd and 1st class, and Assistant Commissioner	106	321	12	3	28	501
	Deputy Commissioner	..	1	..	.	..	..
	Small Cause Court	146	771	11	.	..	928
	Total ..	403	1,748	55	23	74	2,303

	Class of Court.	Number of suits instituted for					No. of the preceding cognizable by a Court of Small Causes up to Rs. 500.
		Money due on contract.	Movable property.	Damages.	Personal rights.	Immovable property.	
Kyouk-hpyoo..	Extra Assistant Commissioners, 3rd class	228	46	43	43	42	335
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioner	162	58	20	40	28	278
	Deputy Commissioner.. ..	..	..	..	..	..	..
	Total ..	390	104	63	83	70	613
Sandoway ..	Extra Assistant Commissioners, 3rd class	55	230	10	17	40	290
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioner	12	46	2	7	14	62
	Deputy Commissioner ..	..	1	..	..	..	..
	Total ..	67	277	12	24	54	352
N. Arakan ..	Extra Assistant Commissoners, 3rd class	6	13	2	2	..	12
	Extra Assistant Commissioner, 2nd and 1st class, and Assistant Commissioner	..	..	..	..	..	..
	Deputy Commissioner ..	5	5	3	4	1	13
	Total ..	11	18	5	6	1	34
Rangoon ..	Extra Assistant Commissioners, 3rd class	1,219	312	203	109	80	1,835
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	163	51	14	22	19	229
	Deputy Commissioner ..	..	..	..	..	..	..
	Total ..	1,382	363	217	131	99	2,064
B'assein ..	Extra Assistant Commissioners, 3rd class	186	230	297	111	54	878
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	222	102	126	318	31	799
	Deputy Commissioner ..	..	..	..	4	..	..
	Total ..	408	332	423	433	85	1,677
Henzada ..	Extra Assistant Commissioners, 3rd class	1,082	252	253	143	102	1,587
	Extra. Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	781	165	105	99	92	1,018
	Deputy Commissioner ..	..	..	..	1	..	..
	Total ..	1,863	417	358	243	194	2,605
Prome ..	Extra Assistant Commissioners, 3rd class	518	44	21	39	73	808
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	879	44	57	48	49	1,017
	Deputy Commissioner ..	1	..	..	1	1	..
	Total ..	1,398	88	270	88	123	1,915
Thayetmyo ..	Extra Assistant Commissioners, 3rd class	390	112	92	69	53	716
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	333	23	86	26	47	515
	Deputy Commissioner ..	1	..	..	..	..	..
	Total ..	724	135	178	95	100	1,231

	Class of Court.	Number of Suits instituted for					
		Money due on contract.	Movable property.	Damages.	Personal rights.	Immovable property.	No. of the preceding cognizable by a Court of Small Causes up to Rs. 500.
Amherst ..	Extra Assistant Commissioners, 3rd class	208	503	106	30	110	..
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	4	8	5	4	2	..
	Deputy Commissioner ..	1	..	..	..	..	..
	Total ..	213	511	111	34	112	..
Shwe-gyeen ..	Extra Assistant Commissioners, 3rd class	586	13	46	38	9	692
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	201	8	7	21	6	231
	Deputy Commissioner ..	1	..	..	..	..	1
	Total ..	788	21	53	59	15	924
Toungoo ..	Extra Assistant Commissioners, 3rd class	326	142	48	74	46	516
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	740	89	24	140	13	803
	Deputy Commissioner ..	1	1	..	..	..	..
	Total ..	1,067	182	72	214	59	1,319
Tavoy ..	Extra Assistant Commissioners, 3rd class	21	189	31	31	76	241
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	7	183	1	23	10	141
	Deputy Commissioner ..	..	..	..	2	..	..
	Total ..	28	322	32	56	86	382
Mergui ..	Extra Assistant Commissioners, 3rd class	100	14	34	13	5	100
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	664	5	25	40	15	661
	Deputy Commissioner ..	16	..	1	2	2	16
	Total ..	780	19	60	55	22	777
Salween ..	Extra Assistant Commissioners, 3rd class	28	5	..	..	..	33
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	2	3	..	..	..	3
	Deputy Commissioner ..	..	..	..	..	..	..
	Total ..	30	8	..	..	..	36
Moulmein ..	Judge's Court	252	5	10	4	12	..
	Small Cause side	2,560	114	31	..	..	2,705
	Total ..	2,812	119	41	4	12	..
Total ..	Extra Assistant Commissioners, 3rd class	5,074	2,760	1,410	739	736	9,007
	Extra Assistant Commissioners, 2nd and 1st class, and Assistant Commissioners	4,366	1,006	484	791	354	6,258
	Deputy Commissioners ..	26	8	4	14	4	30
	Judges' Court	252	5	10	4	12	..
	Small Cause Courts	2,706	885	42	..	..	3,633
	Total ..	12,424	4,664	1,950	1,548	1,106	18,928

12. About one-third of the litigation of the province was for money due on contract. 4,556 suits were brought to recover sums due on written obligations, as compared with 3,443 brought on unwritten agreements. The proportion of suits for immovable property is not 3 per cent. of the total litigation. There appears to have been want of care shown in the former method of allotting lands which has given rise to disputes. It is very important that grants should be made after a carefully executed and carefully recorded survey, and that the boundaries should be so established and described as to secure a lasting identification.

Nature of suits.

13. The number of suits for divorce is large in some districts. It appears that husbands and wives have run into Court to procure separation rather than go to the village elders, because they have found it cheaper to do so. There has been an erroneous practice of allowing such plaints to be brought on an eight-anna stamp. The proper fee is Rs. 10 as laid down in Article 17 of the second Schedule to the Court Fees Act for suits where it is not possible to estimate at a money value the subject-matter in dispute.

Suits for divorce.

14. There is a curious disproportion in the number of suits brought to recover movable property in the Districts of Akyab and Sandoway as compared with other districts, which I think must arise from some incorrect classification.

Suits for recovery of movable property in Akyab and Sandoway.

15. The value of suits was as follows :—

	Class of Court.	Number of suits disposed of valued at not exceeding Rupees—							Above 1,00,000.	Total value of suits.
		5	20	100	500	3,000	10,000	1,00,000		
										Rs. A. P.
Akyab ..	Extra Assistant Commissioners, 3rd class	55	249	448	115	..	..	..	..	48,797 15 8
	Ditto 2nd and 1st class, and Assistant Commissioners ..	29	77	200	210	59	..	..	..	1,17,077 7 5
	Deputy Commissioner	..	..	..	..	..	1	..	..	5,101 0 0
	Small Cause Court	166	384	378	..	..	..	..	..	24,659 5 5
	Total ..	250	710	1,026	325	59	1	..	..	1,90,635 12 6
Kyouk-hpyoo ..	Extra Assistant Commissioners, 3rd class	86	119	158	41	..	..	..	..	16,776 15 5
	Ditto 2nd and 1st class, and Assistant Commissioners ..	67	86	134	14	2	..	..	..	8,212 9 10
	Deputy Commissioner	..	..	..	..	..	..	..	..	..
	Total ..	153	205	292	55	2	..	..	..	24,989 9 3
Sandoway ..	Extra Assistant Commissioners, 3rd class	106	123	96	25	..	..	..	..	11,031 15 4
	Ditto 2nd and 1st class, and Assistant Commissioners ..	14	33	29	7	..	..	..	..	2,969 7 0
	Deputy Commissioner	..	..	..	..	1	..	..	..	2,053 2 3
	Total ..	120	156	125	32	1	..	..	..	16,054 8 7
N. Arakan ..	Extra Assistant Commissioners, 3rd class	4	5	11	3	..	..	..	..	922 7 6
	Ditto 2nd and 1st class, and Assistant Commissioners ..	..	..	..	..	..	..	..	..	..
	Deputy Commissioner	1	2	11	3	1	..	..	..	1,408 0 0
	Total ..	5	7	22	6	1	..	..	..	2,330 7 6
Rangoon ..	Extra Assistant Commissioners, 3rd class	132	437	1,006	354	..	..	..	..	1,43,403 6 10
	Ditto 2nd and 1st class, and Assistant Commissioners ..	6	32	110	77	36	..	..	..	68,791 1 2
	Deputy Commissioner	..	..	..	..	..	..	..	..	..
	Total ..	138	469	1,116	431	36	..	..	..	2,12,193 8 0
Bassein ..	Extra Assistant Commissioners, 3rd class	139	508	741	164	..	..	..	..	75,954 8 11
	Ditto 2nd and 1st class, and Assistant Commissioners ..	360	462	554	177	13	3	..	..	86,881 1 3
	Deputy Commissioner	..	..	..	3	..	1	..	..	5,400 0 0
	Total ..	499	970	1,295	344	13	4	..	..	1,68,235 10 2

HENZADA ..	Extra Assistant Commissioners, 3rd class	194	489	937	209	..	..	..	..	84,055	13 3
	Ditto 2nd and 1st class, and Assistant Commissioners ..	195	359	548	113	16	..	..	..	74,467	11 11
	Deputy Commissioner	..	..	..	..	..	1	..	..	5,096	4 0
	Total ..	389	848	1,485	327	16	1	..	..	1,63,619	13 2
PROME ..	Extra Assistant Commissioners, 3rd class	164	263	413	58	..	..	..	..	32,884	11 9
	Ditto 2nd and 1st class, and Assistant Commissioners ..	206	293	403	115	49	11	..	..	72,701	5 6
	Deputy Commissioner	..	..	..	..	..	2	1	..	43,490	0 0
	Total ..	370	556	816	173	49	13	1	..	1,49,076	1 3
THAYETMYO ..	Extra Assistant Commissioners, 3rd class	131	254	370	36	..	..	..	..	22,484	12 2
	Ditto 2nd and 1st class, and Assistant Commissioners ..	134	181	228	55	12	1	..	..	35,951	9 6
	Deputy Commissioner	..	..	..	..	..	1	..	..	7,089	2 3
	Total ..	265	435	598	91	12	2	..	..	65,525	7 11
AMHERST ..	Extra Assistant Commissioners, 3rd class	159	270	442	93	..	..	..	..	42,087	1 11
	Ditto 2nd and 1st class, and Assistant Commissioners ..	1	..	16	5	3	..	..	..	7,269	1 0
	Deputy Commissioner	..	..	..	..	1	2	..	..	16,346	6 0
	Total ..	160	270	458	98	4	2	..	..	65,702	8 11
SHWE-GYEEN ..	Extra Assistant Commissioners, 3rd class	109	172	206	205	..	..	..	..	33,612	0 0
	Ditto 2nd and 1st class, and Assistant Commissioners ..	57	75	82	19	10	..	..	..	16,512	0 0
	Deputy Commissioner	..	..	1	..	..	..	..	..	30	0 0
	Total ..	166	247	289	224	10	..	..	..	50,154	0 0
TOUNGOO ..	Extra Assistant Commissioners, 3rd class	108	204	210	42	..	..	..	..	20,795	0 9
	Ditto 2nd and 1st class, and Assistant Commissioners ..	108	317	263	110	40	..	..	..	86,582	1 7
	Deputy Commissioner	..	..	..	..	..	2	..	..	13,688	0 0
	Total ..	216	521	473	152	40	2	..	..	1,21,065	2 4
TAVOY ..	Extra Assistant Commissioners, 3rd class	35	129	161	23	..	..	..	..	12,545	0 0
	Ditto 2nd and 1st class, and Assistant Commissioners ..	22	54	73	24	2	..	..	..	11,548	0 0
	Deputy Commissioner	..	..	..	..	1	..	..	..	2,932	0 0
	Total ..	57	183	234	47	3	..	..	..	27,025	0 0

	Class of Court.	Number of suits disposed of valued at not exceeding Rupees—							Above 1,00,000	Total value of suits.
		5	20	100	500	3,000	10,000	1,00,000		
										Rs. A. P.
Mergui ..	Extra Assistant Commissioners, 3rd class	17	68	69	12	..	..	..	..	6,588 0 0
	Ditto 2nd and 1st class, and Assistant Commissioners ..	101	255	352	38	3	..	..	..	25,566 0 0
	Deputy Commissioner	..	2	18	1	..	..	..	..	946 0 0
	Total ..	118	325	439	51	3	..	..	..	33,100 0 0
Salween ..	Extra Assistant Commissioners, 3rd class	..	11	15	7	..	..	..	..	2,841 3 10
	Ditto 2nd and 1st class, and Assistant Commissioners ..	..	..	1	2	2	..	..	..	2,492 8 0
	Total ..	..	11	16	9	2	..	..	..	5,333 11 10
Moulmein ..	Judge's Court	5	53	105	78	52	7	2	..	1,97,613 1 0
	Small Cause side	177	1,012	1,250	334	34	..	..	..	1,60,246 6 0
	Total ..	182	1,065	1,355	412	86	7	2	..	3,57,859 7 0
Total ..	Extra Assistant Commissioners, 3rd class	1,439	3,301	5,263	1,387	..	..	..	..	5,49,780 1 4
	Ditto 2nd and 1st class, and Assistant Commissioners ..	1,300	2,224	2,993	971	247	15	..	..	6,17,022 0 2
	Deputy Commissioners	1	4	30	7	4	10	1	..	1,03,579 14 6
	Judge's Court	5	53	105	78	52	7	2	..	1,97,613 1 0
	Small Cause Courts	343	1,396	1,628	334	34	..	..	..	1,84,905 11 5
	Total ..	3,088	6,978	10,039	2,777	337	32	3	..	16,52,900 12

16. The total value of the subject-matters of litigation (sixteen lakhs and a half) was slightly in excess of the value shown in the returns for 1872.

Analysis of values of suits.

17. Nearly one-half the number of suits shown as disposed of in this table were valued at sums not exceeding Rs. 20; and out of 23,254 suits all but 3,149 were for matters estimated at sums not exceeding Rs. 100. More than 3,000 were valued at sums not exceeding Rs. 5. These results show that the small value of the subject-matter in dispute does not prevent suitors from coming into the Courts, and that the effect of the establishment of a Court of Small Causes with jurisdiction up to Rs. 100 at Akyab would be to throw the vast bulk of the litigation into the hands of a Judge, from whose decision there is no appeal.

Suits for over Rs. 10,000.

18. Of the three suits valued at over Rs. 10,000, two were instituted in the Judge's Court at Moulmein; and one for Rs. 80,000 in the District of Prome for division of property after divorce.

Disposal of suits.

19. The manner in which the litigation was disposed of in the several Courts is shown below :—

	Class of Court.	Number of cases brought on the file including pending from last year.	Transferred, withdrawn, adjusted, or dismissed for non-appearance.	Decreed on compromise or confession.	Decreed *ex-parte*.	Judgment by default.	Decreed by arbitration.	Contested Cases.		Pending.
								Judgment for plaintiff.	Judgment for defendant.	
Akyab	Extra Assistant Commissioners ..	1,371	437	206	204	1	8	361	151	3
	Assistant Commissioners	75	8	2	25	..	..	33	11	1
	Deputy Commissioner ..	1	..	..	..	..	..	1	..	..
	Small Cause Court ..	928	322	81	169	..	..	278	78	..
	Total ..	2,375	762	289	398	1	8	673	240	4
Kyouk-hpyoo.	Extra Assistant Commissioners ..	710	198	73	115	20	..	208	93	3
	Assistant Commissioners	..	..	..	..	..	..	..	..	..
	Deputy Commissioner ..	..	..	..	..	..	..	..	..	..
	Total ..	710	198	73	115	20	..	208	93	3

	Class of Court.	Number of cases brought on the file including pending from last year.	Transferred, withdrawn, adjusted, or dismissed for non-appearance.	Decreed on compromise or confession.	Decreed *ex-parte*.	Judgment by default.	Decreed by arbitration.	Contested Cases.		Pending.
								Judgment for plaintiff.	Judgment for defendant.	
SANDOWAY.	Extra Assistant Commissioners ..	433	58	163	23	..	..	112	77	..
	Assistant Commissioners	..	..	..	..	..	..	..	..	..
	Deputy Commissioner ..	1	..	..	..	..	..	..	1	..
	Total ..	434	58	163	23	..	..	112	78	..
N. ARAKAN.	Extra Assistant Commissioners ..	23	..	10	1	..	..	11	1	..
	Assistant Commissioners	..	..	..	..	..	..	..	..	..
	Deputy Commissioner ..	18	3	4	..	..	2	8	1	..
	Total ..	41	3	14	1	..	2	19	2	..
RANGOON.	Extra Assistant Commissioners ..	2,050	767	302	364	4	73	361	152	27
	Assistant Commissioners	172	30	34	30	..	1	56	16	5
	Deputy Commissioner ..	..	..	..	..	..	..	..	..	..
	Total ..	2,222	797	336	394	4	74	417	168	32
BASSEIN.	Extra Assistant Commissioners ..	2,911	842	467	305	111	65	704	332	25
	Assistant Commissioners	240	81	12	36	..	6	59	41	5
	Deputy Commissioner ..	4	..	..	..	..	..	3	1	..
	Total ..	3,155	923	479	401	111	71	766	374	30
HENZADA.	Extra Assistant Commissioners ..	2,876	449	604	254	70	57	1,036	400	6
	Assistant Commissioners	198	43	30	3	4	7	81	27	3
	Deputy Commissioner ..	1	..	..	..	..	1	..	..	..
	Total ..	3,075	492	634	257	74	65	1,117	427	9
PROME.	Extra Assistant Commissioners ..	1,962	588	205	309	..	40	522	198	10
	Assistant Commissioners	30	7	7	..	..	..	5	4	7
	Deputy Commissioner ..	8	1	..	..	..	..	2	..	..
	Total ..	1,995	596	302	309	..	40	529	202	17
THAYETMYO.	Extra Assistant Commissioners ..	930	261	57	43	19	6	304	221	9
	Assistant Commissioners	487	154	74	56	13	2	137	55	6
	Deputy Commissioner ..	1	..	..	1	..	..	..	..	..
	Total ..	1,418	415	131	100	32	8	441	276	15
AMHERST.	Extra Assistant Commissioners ..	991	272	106	78	28	18	307	167	15
	Assistant Commissioners	16	2	..	..	..	..	2	9	3
	Deputy Commissioner ..	3	..	..	1	..	..	1	1	..
	Total ..	1,010	274	106	79	28	18	310	177	18
SHWEGYEEN.	Extra Assistant Commissioners ..	942	210	90	46	..	10	385	170	31
	Assistant Commissioners	9	1	1	..	..	..	3	3	1
	Deputy Commissioner ..	1	..	..	..	..	..	1	..	..
	Total ..	952	211	91	46	..	10	389	173	32

	Class of Court.	Number of cases brought on the file including pending from last year.	Transferred, withdrawn, adjusted, or dismissed for non-appearance.	Decreed on compromise or confession.	Decreed *ex-parte*.	Judgment by default.	Decreed by arbitration.	Contested Cases.		Pending.
								Judgment for plaintiff.	Judgment for defendant.	
Toungoo.	Extra Assistant Commissioners ..	1,313	185	312	189	12	6	452	154	8
	Assistant Commissioners	299	60	47	33	2	...	116	40	1
	Deputy Commissioner ..	2	..	..	1	..	..	..	1	..
	Total ..	1,614	245	359	223	14	6	568	195	4
Tavoy.	Extra Assistant Commissioners ..	524	64	96	24	..	..	211	128	1
	Assistant Commissioners	..	..	..	..	..	..	..	..	..
	Deputy Commissioner ..	2	..	..	..	..	..	1	..	1
	Total ..	526	64	96	24	..	..	212	128	2
Mergui.	Extra Assistant Commissioners ..	922	87	248	205	..	..	200	92	..
	Assistant Commissioners	..	..	..	..	..	..	..	..	..
	Deputy Commissioner ..	30	1	14	2	..	..	8	5	..
	Total ..	952	88	262	207	..	..	208	97	..
Salween.	Extra Assistant Commissioners ..	33	10	5	3	..	..	14	1	..
	Assistant Commissioners	5	2	..	..	..	..	3	..	..
	Total ..	38	12	5	3	..	..	17	1	..
Moulmein.	Judge's Court ..	332	75	14	115	1	3	63	47	14
	Small Cause side ..	2,877	715	182	1,011	2	4	549	344	70
	Total ..	3,209	790	196	1,126	3	7	612	391	84
Total.	Extra Assistant Commissioners ..	17,091	4,428	3,034	2,313	265	283	5,188	2,337	133
	Assistant Commissioners	1,531	383	207	183	19	16	495	206	32
	Deputy Commissioners ..	67	5	18	5	..	3	25	10	1
	Judges' Court ..	332	75	14	115	1	3	63	47	14
	Small Cause Courts ..	3,805	1,037	263	1,180	2	4	827	422	70
	Total ..	23,726	5,928	3,536	3,796	287	309	6,598	3,022	250

20. Twenty-five per cent. of the cases brought on the files of the various Courts are shown as disposed of without passing a decree. This is a better result than that shown in the report for last year, in which it was recorded that 27 per cent. were so disposed of; better, because the great majority of suits so disposed of are no doubt dismissed on account of the non-appearance of the parties, and I have reason to think that one great fault of the Courts in the interior in the matter of procedure is not invariably to fix dates for the successive stages of the suit, or to observe them when fixed, and thus parties may not always be aware when their presence is required, or get disheartened for further attendance by the Courts' unpunctuality.

Cases disposed of without decrees.

21. If we add to the number of contested cases decided in favour of the plaintiff, viz. 6,598, the number decreed *ex-parte*, or on confession or compromise, viz. 7,334, we find that of the total number of suits decided 59 per cent. were decreed in favour of the plaintiff—a result in itself not very satisfactory; but no doubt also in many of the cases adjusted without decree the defendant satisfied the claim out of Court.

Cases decided in favour of plaintiff.

22. Only 41 of the cases decided were brought to a contest in Court, and of these, being the cases in which the defendant resisted to the last the claim brought against him, 68 per cent. resulted in the establishment of the claim.

Cases contested in Court.

23. The proportion of cases decreed *ex-parte* is 16 per cent. Where enquiry has been made, the result has been to show that the cases were those in which the defendants have been duly served with summons, but did not care to contest the demand. The debt is not denied, and the plaintiff comes into Court to compel satisfaction, or, at any rate as it were, to register its validity; such cases would perhaps be less frequent if the Act for the registration of documents were practically in operation.

Ex-parte decrees.

24. The average duration of suits in each class of Court and the average number of adjournments in cases disposed of, was as follows :—

Duration of suits.

Name of District.	Class of Court.	Average duration of Suits. 1872 Contested.	1872 Uncontested.	1873 Contested.	1873 Uncontested.	Average number of adjournments.
Akyab	Extra Assistant Commissioners	9·1	5·4	9·0	6 0	1·0
	Assistant Commissioners	16·8	10 4	17·0	14·0	3 0
	Deputy Commissioner	15·0	..	19 0	..	1·0
	Small Cause Court	4 0	3·0	4 0	2 0	1·0
Kyouk-phyoo.	Extra Assistant Commissioners	19·8	8 4	10·4	7·1	1·0
	Assistant Commissioners	..	..	..	..	..
	Deputy Commissioner	..	..	..	..	..
Sandoway	Extra Assistant Commissioners	11·0	6·0	8·0	5·0	1·0
	Assistant Commissioners	..	..	..	..	..
	Deputy Commissioner	..	..	6·0	..	1 0
N. Arakan	Extra Assistant Commissioners	2·85	1·07	2·43	1·8	..
	Assistant Commissioners	..	..	..	..	..
	Depnty Commissioner	5·05	4·07	16 54	6 41	6·0
Rangoon	Extra Assistant Commissioners	20·6	10·7	23 0	10 5	1 75
	Assistant Commissioners	30 0	23·0	17· 3	8·3	1 3
	Deputy Commissioner	28·0	15 6	..	..	..
Bassein	Extra Assistant Commissioners	8 3	6·4	13 73	8·0	1 6
	Assistant Commissioners	6 5	5 5	7·5	5 75	2 0
	Deputy Commissioner	188·0	84 0	8·0	..	1 0
Henzada	Extra Assistant Commissioners	8·2	3 6	10·0	4·75	1 0
	Assistant Commissioners	8 3	3 0	7·75	3·0	..
	Deputy Commissioner	..	..	48 0	..	4 0
Prome	Extra Assistant Commissioners	17 13	7·6	14·0	6·0	1 6
	Assistant Commissioners	28·25	36 50	8 0	3 0	1·2
	Deputy Commissioner	..	87·0	20·0	5 0	2 0
Thayetmyo	Extra Assistant Commissioners	7·2	4 5	7·0	5 75	3 0
	Assistant Commissioners	7·7	3·2	16 0	7 0	3 0
	Deputy Commissioner	3 0	..	..	15 0	3 0
Amherst	Extra Assistant Commissioners	9 0	5·1	9·0	5·0	4 0
	Assistant Commissioners	2·75	26 0	52·0	33 0	8 0
	Deputy Commissioner	2 90	7·0	70·0	7·0	7 0
Shwe-gyeen	Extra Assistant Commissioners	4·2	1 4	4·0	2·0	3·0
	Assistant Commissioners	17·0	12·0	5 5	2 0	3·0
	Deputy Commissioner	65 0	23 0	4·0	..	2 0
Toungoo	Extra Assistant Commissioners	8 1	3 7	9 0	7·0	2 0
	Assistant Commissioners	10 0	5·0	7·8	3 7	..
	Deputy Commissioner	27·3	23·5	48 0	149 0	4 0
Tavoy	Extra Assistant Commissioners	8·2	3 7	8 9	3 0	1 65
	Assistant Commissioners	..	..	..	..	..
	Deputy Commissioner	..	..	30·0	..	3·0
Mergui	Extra Assistant Commissioners	14·25	6 0	6·0	3 0	2 0
	Assistant Commissioners	..	..	..	..	..
	Deputy Commissioner	5·0	5·0	14 0	5·0	2 0
Salween	Extra Assistant Commissioners	14 0	8·0	5 0	9 0	1·0
	Assistant Commissioners	4·0	..	5·0	2 0	1 0
	Deputy Commissioner	..	..	..	..	..
Moulmein	Judge's Court	58 0	21·0	78 0	27 0	1·82
	Small Cause Side	25·0	22 0	22 0	20 0	0 28
	Total	21 4	14 7	17·0	11 0	2·0

Remarks on duration of suits.

25. The average duration of contested suits was only 17 days as compared with 21 in the year preceding. As a rule, there is no fault to find with the Courts in this respect. The duration of the longest case decided in the Akyab District was only 33 days. There was a considerable improvement in the working of the Courts in the Kyouk-hpyoo District, so also in the Prome District. The average duration in the higher Courts of the Amherst District, especially in Mr. Barr's Court, was too high; and in the Extra Assistant Commissioners' Courts in the Rangoon District, the duration of 23 days is longer than need be; and the Deputy Commissioner finds great fault with the dilatory procedure of the Extra Assistant Commissioner of Pegu.

Duration of suits, Toungoo.

26. The average duration in the Court of the Deputy Commissioner of Toungoo, viz. 149 days, may attract notice. It appears that it results from two cases, in one of which the defendant evaded process, and the other was adjourned from time to time on the application of the parties.

Duration of suits in Judge's Court, Moulmein.

27. The long average duration of contested cases in the Court of the Judge at Moulmein is satisfactorily explained by the fact that 17 suits which had been instituted in the previous year, and had been pending for some months, were decided in the course of the past year.

Adjournments.

28. The average number of adjournments is too high in some of the Courts. The great advantage of deciding cases, as a matter of course, on the day fixed for hearing, and of hearing cases throughout at one sitting, is not understood by the Courts. Adjournments are readily granted for such reasons as the absence of a witness, in forgetfulness of the provisions of Section 148 of the Code of Procedure, that "if either party to a suit to whom time may have been granted shall fail to produce his proofs or to cause the attendance of his witnesses, or to perform any other act for which time may have been allowed, the Court *shall* proceed to a decision of the suit on the record, notwithstanding such default."

Number of decrees and applications for execution.

29. The next table shows the number of decrees passed by the several Courts, the number of applications for execution, and the degree in which the applications were satisfied.

Name of District.	Class of Court.	Number of decrees passed during the year.	Number of applications for execution, including those pending from last year.	Decrees completely executed.	Decrees partially executed	Struck off.	Pending at close of the year. For more than 4 months.	Pending at close of the year. Total pending.
Akyab ..	Extra Assistant Commissioners ..	932	489	246	72	162	..	8
	Assistant Commissioners ..	71	103	41	18	42	..	2
	Deputy Commissioner ..	1	2	2	..	..	..	..
	Small Cause Court ..	606	319	154	28	137	..	..
Kyouk-hpyoo.	Extra Assistant Commissioners ..	509	204	108	30	66	..	..
	Assistant Commissioners ..	..	..	..	..	..	..	..
	Deputy Commissioner ..	..	..	..	..	..	..	..
Sandoway ..	Extra Assistant Commissioners ..	311	125	77	12	36	..	..
	Assistant Commissioners ..	..	..	..	..	..	..	..
	Deputy Commissioner ..	1	..	..	..	..	..	..
N. Arakan ..	Extra Assistant Commissioners ..	13	2	1	1	..	..	..
	Assistant Commissioners ..	..	..	..	..	..	..	..
	Deputy Commissioner ..	9	..	..	..	..	..	..
Rangoon ..	Extra Assistant Commissioners ..	1,255	349	120	53	165	..	11
	Assistant Commissioners ..	136	65	40	5	17	..	3
	Deputy Commissioner ..	..	..	..	..	..	..	..
Bassein ..	Extra Assistant Commissioners ...	1,933	516	468	38	7	..	..
	Assistant Commissioners ..	154	89	87	2	..	..	..
	Deputy Commissioner ..	4	1	1	..	..	..	..
Henzada ..	Extra Assistant Commissioners ..	2,382	322	203	101	16	..	2
	Assistant Commissioners ..	152	26	15	7	3	..	1
	Deputy Commissioner ..	1	1	1	..	..	..	..
Prome ..	Extra Assistant Commissioners ..	1,212	480	316	120	..	..	35
	Assistant Commissioners ..	14	3	3	..	..	..	..
	Deputy Commissioner ..	2	3	1	2	..	..	..
Thayetmyo ..	Extra Assistant Commissioners ..	681	171	64	40	..	..	9
	Assistant Commissioners ..	324	129	51	35	24	..	6
	Deputy Commissioner ..	1	..	..	..	..	..	..
Amherst ..	Extra Assistant Commissioners ..	704	240	198	34	8	..	..
	Assistant Commissioners ..	11	3	3	..	..	..	..
	Deputy Commissioner ..	3	95	43	10	39	..	3
Shwe-gyeen ..	Extra Assistant Commissioners ..	695	194	140	40	..	..	14
	Assistant Commissioners ..	..	..	..	..	..	..	..
	Deputy Commissioner ..	1	1	1	..	..	..	..
Toungoo ..	Extra Assistant Commissioners ..	1,124	324	309	13	2	..	..
	Assistant Commissioners ..	238	55	28	32	..	..	..
	Deputy Commissioner ..	2	1	..	1	..	..	..
Tavoy ..	Extra Assistant Commissioners ..	331	138	78	13	47	..	..
	Assistant Commissioners ..	..	..	..	..	..	..	..
	Deputy Commissioner ..	1	..	..	..	..	..	..
Mergui ..	Extra Assistant Commissioners ..	699	239	166	27	46	..	..
	Assistant Commissioners ...	..	..	..	..	..	..	..
	Deputy Commissioner ..	19	5	2	3	..	..	..
Salween ..	Extra Assistant Commissioners ..	18	8	3	3	8	..	..
	Assistant Commissioners ..	3	3	3	..	3	..	..
Moulmein ..	Judge's Court	251	242	43	62	114	1	23
	Small Cause side	2,117	1,158	382	177	529	..	70
	Total ..	16,872	6,105	3,393	989	1,471	1	187

30. The same results as were noticed in last year's report, viz., the small proportion of applications to execute decrees compared with the number of decrees passed and the successful result of applications when made, still continue.

Proportion of applications for execution and their results.

31. The former result is attributed, and I have no doubt correctly, to a wholesome respect of authority in the mind of the Burman, which leads the defendant himself to give effect to the decree of the Court without the necessity of application for the assistance of the Court on the part of the decree-holder.

32. As an example of the latter result, reference may be made to the figures for the District of Bassein, which show that 606 applications resulted in the completely successful execution of 556 decrees.

33. In the Judge's Court at Moulmein, however, only 30 per cent. of the applications resulted in the full satisfaction of the decree. The Judge remarks that the fact of successive applications to execute the same decree being included in the number of applications, causes the result to bear a more unfavourable appearance than is actually the case, and that probably more than half of the decrees, in the execution of which the aid of the Court was sought, found partial or complete execution.

Processes of execution.

34. Processes of execution were issued as follows:—

Division.	Name of District.	Delivery of possession.	Specific performance.	Imprisonment of person	Movable property.		Immovable property.		Orders under Section 243, Act VIII of 1859.
					Attachment.	Sale.	Attachment.	Sale.	
Arakan ..	Akyab	3	6	46	197	97	101	48	..
	Kyouk-hpyoo	21	..	7	63	14	22	11	..
	Sandoway	..	..	1	63	8	8	9	..
	Northern Arakan ..	1	..	1	..	..	..	..	..
Pegu ..	Rangoon	2	23	100	254	54	38	16	..
	Bassein	189	32	51	466	103	105	26	5
	Henzada	25	..	89	142	42	71	21	..
	Prome	..	..	114	184	127	143	86	..
	Thayetmyo	80	1	90	64	78	34	32	..
Tenasserim ..	Amherst	13	1	87	121	39	75	14	14
	Shwe-gyeen	4	..	14	97	24	25	6	..
	Toungoo	4	..	105	174	26	97	16	..
	Tavoy	10	..	4	11	2	29	12	..
	Mergui	128	198	29	24	4	17	1	..
	Salween	2	..	1	6	3	1	..	..
	Town of Moulmein ..	..	..	96	133	102	59	38	6
	Total ..	482	261	835	1,999	723	825	336	25

Arrest and imprisonment.

35. The number of processes issued for arrest and imprisonment appears large, namely, 835, but of the persons arrested a small proportion—probably not more than one-seventh—were actually imprisoned in the civil jail.

Sales of immovable property in Prome.

36. There was a large number of sales, viz. 86, of immovable property in the District of Prome. This is the work of Chetties (money-lenders), who have found their way there, and who obtain a lien on the land by mortgage, which they are not slow to enforce. The same fact—that is, the large number of sales of immovable property in the Prome District—was noticed in last year's report.

Appeals to Deputy Commissioners.

37. The subjoined table shows the number of appeals preferred to the Deputy Commissioners from the decrees of the Subordinate Courts, and the proportion in which the decrees appealed against were upheld:—

Name of District.	Class of Court.	Number of appealable decrees passed.	Number of appeals preferred.	Number of decrees confirmed.	Number modified.	Number reversed.	Proportion of reversals and modifications to appealable decrees.
Akyab ..	Extra Assistant Commissioners ..	525	75	50	6	11	3·23
	Assistant Commissioners	44	12	6	1	2	6 81
Kyouk-hpyoo..	Extra Assistant Commissioners ..	301	65	34	13	14	8·97
	Assistant Commissioners	..	..	..	..	..	..
Sandoway ..	Extra Assistant Commissioners ..	189	34	29	2	2	2·11
	Assistant Commissioners	..	..	..	..	..	..
N Arakan ..	Extra Assistant Commissioners ..	..	..	..	..	..	..
	Assistant Commissioners	..	..	..	..	..	..
Rangoon ..	Extra Assistant Commissioners ..	586	50	27	4	22	4·43
	Assistant Commissioners	82	18	8	1	8	11 0
Bassein ..	Extra Assistant Commissioners ..	1,036	83	37	2	23	2·41
	Assistant Commissioners	100	18	10	..	5	5·0
Henzada ..	Extra Assistant Commissioners ..	2,727	113	71	3	17	0·73
	Assistant Commissioners	183	11	4	2	2	2 18
Prome ..	Extra Assistant Commissioners ..	720	131	76	2	38	5·55
	Assistant Commissioners	3	1	..	..	..	..
Thayetmyo ..	Extra Assistant Commissioners ..	631	102	54	12	23	5·54
	Assistant Commissioners	324	34	18	5	7	3·70
Amherst ..	Extra Assistant Commissioners ..	483	71	48	4	13	3·52
	Assistant Commissioners	11	5	4	..	1	9·09
Shwe-gyeen ..	Extra Assistant Commissioners ..	695	82	47	4	19	3·30
	Assistant Commissioners	9	3	2	..	1	11·0
Toungoo ..	Extra Assistant Commissioners ..	505	110	51	8	36	7·39
	Assistant Commissioners	156	34	18	4	3	4·48
Tavoy ..	Extra Assistant Commissioners ..	339	136	77	14	43	16 81
	Assistant Commissioners	..	..	..	..	..	..
Mergui ..	Extra Assistant Commissioners ..	292	45	22	5	15	6·84
	Assistant Commissioners	..	..	..	..	..	..
Salween ..	Extra Assistant Commissioners ..	..	..	..	..	..	..
	Assistant Commissioners	..	..	..	..	..	..
	Total ..	10,031	1,239	693	92	305	3·95

38. The number of appeals preferred was 1,239 compared with 10,031 appealable decrees. This is a slight increase by one per cent. on the proportion shown in the returns for 1872. The largest proportion of appeals was again in the District of Tavoy, where 136 out of 339 appealable decrees were taken to the Appellate Court. This proportion, viz. 40 per cent., is a remarkable contrast to the proportion of appeals preferred in Henzada, which was only 4 per cent.

Comparison of appeals with number of appealable decrees.

39. In 32 per cent. of the appeals preferred the decree of the Lower Court was reversed or modified. The largest proportion of reversals or modifications was in the Rangoon District, where half the appeals preferred were successful.

Disposal of appeals.

40. The subjoined table shows the work of the Appellate Courts :—

Work of Appellate Courts.

Division.	Class of Appellate Courts and Names of presiding Judges.	No. of appeals on the files including those pending from last year and received by transfer.	No transferred or dismissed for default.	No. decided. In favour of Respondent.	No. decided. In favour of Appellant.	No. remanded for re-decision by Lower Court.	No. left pending. For more than 4 months.	No. left pending. Total pending.	Average duration of appeals in days.
	Deputy Commissioners.								
Arakan	Lt.-Col. H. N. Davies, Capt. H. A. Gower, Akyab	80	4	52	18	8	..	2	13
		7	..	1	2	..	..	..	27
	Lt.-Col. C. P. Hildebrand, Kyouk-hpyoo	65	1	33	25	2	..	4	35
	Major G. E. Fryer, Sandoway	34	..	29	4	1	..	..	9
	Capt. W. G. Hughes, Supdt., Hill Tracts	..	..	..	..	..	..	..	..
	Commissioner.								
	Col. J. F. J. Stevenson, Arakan Division	1	..	1	..	..	..	..	35
	Lt.-Col. H. N. Davies (Offg.).	1	..	..	1	..	..	..	57
	Deputy Commissioners.								
Pegu	Major C. W Street, Rangoon	74	4	31	31	4	..	4	34
	Mr. R F. St A. St. John, Bassein	101	7	47	29	15	..	3	53
	Mr. W. DeCourcy Ireland, Henzada	135	18	64	26	10	..	17	25
	Capt. M. Furlong, Prome	132	2	76	40	4	..	10	35
	Lt.-Col H. A. Browne, Capt. H A. Gower, Thayetmyo	137	13	72	47	3	..	2	9
	Commissioner.								
	Col. R. D. Ardagh, Pegu Division.	..	..	..	..	..	..	..	..
Tenasserim	*Deputy Commissioners.*								
	Major E. B. Sladen, Amherst	76	2	50	18	6	..	..	17
	Mr. C J. F. S. Forbes, Shwe-gyeen	86	..	49	24	13	..	..	8
	Major M. Lloyd, Toungoo	144	11	69	51	13	..	..	7
	Col E. J. Spilsbury, Tavoy	137	1	76	57	..	..	3	12
	Major W. Munro, Mergui	45	..	22	20	3	..	..	13
	Commissioner.								
	Col. D. Brown, Tenasserim Division	2	..	..	1	..	..	1	..
	Total	1,257	63	672	391	82	..	46	..

Appeals in Toungoo.

41. The largest number of appeals came before the Court of the Deputy Commissioner of Toungoo, and these appear to have been promptly taken up and disposed of. There were arrears at one time in the Appellate Court at Bassein, caused by the illness of the Deputy Commissioner, Major Pemberton,

Duration of appeals in Bassein.

and this fact has raised the average duration of appeals in this Court to 53 days.

Appeals to Commissioners' Courts.

42. It will be seen that only three appeals have been decided in the Appellate Courts of the Commissioners—two at Akyab and one at Moulmein. No appeal was preferred to my Court as exercising the appellate jurisdiction of the Commissioner of Pegu.

Appellate work in Court of Judicial Commissioner and Special Court.

43. The following table shows the work performed in the Court of the Judicial Commissioner and Special Court :—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Decision reversed.	Decision modified.	Decision confirmed.	Remanded.	Total disposed of.	Pending.
	Deputy Commissioners.						
Arakan ..	Lt.-Col. H. N. Davies, Akyab ..	1	..	3	..	4	1
	Capt H. A. Gower, Akyab ..	1	..	2	..	3	..
	Lt.-Col. C. P. Hildebrand, Kyouk hpyoo ..	2	..	1	..	3	..
	Major G. E. Fryer, Sandoway ..	..	..	1	..	1	..
	Commissioner.						
	Col. J. F. J. Stevenson, Arakan Division ..	..	..	1	..	1	..
	Deputy Commissioners.						
Pegu ..	Major C. W. Street, Rangoon ..	5	1	6	..	12	..
	Major W. W. Pemberton, Bassein ..	2	..	..	..	2	..
	Mr. R. F. St. A. St. John, Bassein ..	1	..	..	..	1	..
	Mr. W DeCourcy Ireland, Henzada ..	..	..	2	..	2	1
	Capt. H. R Spearman, Prome ..	3	..	5	..	8	..
	Lt.-Col. A. R McMahon, Prome ..	..	..	1	..	1	..
	Capt. M. Furlong, Prome ..	..	..	1	..	1	..
	Lt.-Col. H. A. Browne, Thayetmyo ..	..	..	3	..	3	..
Tenasserim	Major E. B. Sladen, Amherst ..	1	..	2	..	3	..
	Mr. C. J. F. S. Forbes, Shwe-gyeen ..	1	..	..	..	1	..
	Major M. Lloyd, Toungoo ..	1	1	2	..	4	1
	Lt.-Col. E. J. Spilsbury, Tavoy ..	3	..	1	..	4	1
	Major W. Munro, Mergui ..	..	1	..	..	1	..
	Judge.						
Moulmein ..	Major A. G. Duff, Moulmein ..	1	1	1	..	3	5
	Mr. D. G. Macleod, Moulmein ..	..	..	..	..	..	4
	Total ..	22	4	32	..	58	13

44. Fifty-five appeals were disposed of in the Court of the Judicial Commissioner as compared with 27 disposed of in 1872. In 32 of the cases appealed, the decision of the Lower Court was upheld, in 22 it was reversed, and in 4 it was modified. Thirteen cases were left pending at the close of the year, but 9 of these could not be heard because they were appeals from the decrees of the Judge of the Town of Moulmein, which must be heard in the Special Court of British Burma, and the Special Court could not be constituted while I was performing the duties of Recorder.

Result of appeals, Court of Judicial Commissioner.

Appeals pending.

Appeals to Special Court.

45. Three appeals only were heard in the Special Court.

References to Court of Judicial Commissioner.

46. The number and result of references to the Court of the Judicial Commissioner is shown in the annexed table :—

Division.	Under Section 35 of Burma Courts Act.	Under Section 31 of Burma Courts Act.	Under Section 22 of the Small Cause Court Act.	Total references.	Court making the reference.	Rulings adverse to the opinion of referring Court.	Rulings in concurrence with opinion of referring Court.	Heard as appeals under Section 9, Burma Courts Act Amendment Act.	Total disposed of.	Pending.
Arakan ..	1	..	..	1	Deputy Commissioner, Akyab ..	..	..	1	1	..
Pegu ..	1	..	..	1	Ditto, Rangoon ..	..	..	1	1	..
	1	..	..	1	Ditto, Henzada ..	..	..	1	1	..
	3	1	..	4	Ditto, Prome ..	..	2	2	4	..
	1	..	..	1	Ditto, Thayetmyo.	1	..	..	1	..
Tenasseirm	..	1	..	1	Ditto, Amherst ..	1	..	..	1	..
	..	3	..	3	Ditto, Shwe-gyeen	..	3	..	3	..
	..	1	..	1	Commissioner of Tenassorim ..	..	1	..	1	..
	..	..	1	1	Judge of the Town of Moulmein ..	1	..	..	1	..
Total ..	7	6	1	14		3	6	5	14	..

47. Seven references were made on points of law under Section 35 of the Burma Courts Act. These references have taken the place of the old special appeal, and contain statements of points of law which have been decided adversely to the applicant by the Courts below, and on which he desires a ruling by the Judicial Commissioner. In 5 of these cases it was found that justice

Nature of references.

would best be done by rehearing the whole cases as appeals under Section 9 of the Burma Courts Act Amendment Act. The decisions of the Lower Courts were confirmed in 4 and reversed in 3 of these references.

48. Six cases also were referred on the motion of the Courts themselves for rulings under Section 31 of the Burma Courts Act, and one by the Court of Small Causes at Moulmein.

Inspection of subordinate Courts.

49. The Chief Commissioner is aware that for five months in the year I was performing the duties, in addition to my own, of the Recorder of Rangoon, and that during that period it was impossible for me to visit the Courts of the province, or to bestow that attention to the general superintendence of the Courts, which is an important part of the duties of the Judicial Commissioner. In the early portion of the year I visited Akyab and Kyouk-hpyoo, and gave such directions as the state of the Courts and their mode of conducting business appeared to call for. The civil judicial work is light in both these districts, and the performance of the bulk of the business at Akyab in the Court of Small Causes by an intelligent Burmese Judge, gives general satisfaction.

Necessity for district Record-keepers.

50. It was much to be regretted that the appointment of a Record-keeper in each district,* proposed by me in 1872, has not yet been sanctioned, although it has received the support of the Chief Commissioner.

Qualification, &c., of Advocates.

51. During the year rules have been published for the qualification, admission, and enrolment of Advocates, which will, I hope, materially conduce towards the gradual improvement of the practitioners in the Courts.

Remuneration of process-servers.

52. The system of paying process-servers by fixed salaries and of realizing the fees by means of stamps, was introduced by rules published in October.

Removal of Moung Kyaw Doon from the Judicial staff.

53. The Judicial staff lost during the year, in the person of Moung Kyaw Doon, the services of one who had borne the reputation of an intelligent and learned Judge, but who unfortunately allowed himself to engage in speculations of trade and to adjudicate upon matters in which it was considered that he had a pecuniary interest.

* Since sanctioned.

(B.)—CRIMINAL.

From J. D. SANDFORD, Esq., Judicial Commissioner, British Burma, to the Officiating Secretary to the Chief Commissioner, British Burma,—No. 515-76, dated Rangoon, the 10th June 1874.

I HAVE the honor to forward the Annual Report on the Administration of Criminal Justice in this province (exclusive of the Town of Rangoon) for the past year.

Amount of crime.

2. The subjoined table shows the number of offences (bailable and non-bailable) reported during the year, and the number of persons brought to trial, convicted, and acquitted, as compared with similar results for the preceding year :—

Divisions.	Names of Districts.		Number of offences reported during 1873. Non-bailable.	Bailable.	Total	Number of persons brought to trial.	Number acquitted.	Number convicted.
Arakan.	Akyab ..	In 1872 ..	303	1,692	2,055	3,688	1,548	2,077
		In 1873 ..	452	1,512	1,964	3,022	902	2,082
		Increase ..	89	..	..	..	..	5
		Decrease ..	..	180	91	666	646	..
	Kyouk-hpyoo ..	In 1872 ..	357	646	1,003	1,567	728	830
		In 1873 ..	350	398	748	953	246	697
		Increase ..	..	..	..	..	..	..
		Decrease ..	7	248	255	614	482	133
	Sandoway ..	In 1872 ..	79	167	246	421	115	305
		In 1873 ..	67	159	226	315	75	240
		Increase ..	..	..	..	..	..	..
		Decrease ..	12	8	20	106	40	65
	Northern Arakan ..	In 1872 ..	3	38	41	68	18	46
		In 1873 ..	10	27	37	53	10	35
		Increase ..	7	..	..	..	..	..
		Decrease ..	..	11	4	15	8	11

Divisions.	Names of Districts.		Number of offences reported during 1873. Non-bailable.	Bailable.	Total.	Number of persons brought to trial.	Number acquitted.	Number convicted.
Pegu.	Rangoon ..	In 1872 ..	1,186	1,647	2,833	4,280	2,473	1,674
		In 1873 ..	1,746	1,058	2,804	3,877	1,591	2,110
		Increase ..	560	..	..	..	..	436
		Decrease ..	..	589	29	403	882	..
	Bassein ..	In 1872 ..	945	1,732	2,677	4,488	1,808	2,316
		In 1873 ..	840	1,450	2,290	4,494	1,649	2,479
		Increase ..	..	..	..	6	..	163
		Decrease ..	105	282	387	..	249	..
	Henzada ..	In 1872 ..	1,831	2,160	3,991	5,330	2,106	3,152
		In 1873 ..	1,982	2,090	4,072	5,666	2,014	3,618
		Increase ..	151	..	81	336	..	466
		Decrease ..	..	70	..	..	92	..
	Prome ..	In 1872 ..	1,347	2,338	3,685	5,246	2,265	2,939
		In 1873 ..	1,688	2,083	3,771	5,149	2,110	3,008
		Increase ..	341	..	86	..	..	69
		Decrease ..	..	255	..	97	155	..
	Thayetmyo ..	In 1872 ..	516	1,153	1,669	2,528	1,102	1,393
		In 1873 ..	375	1,200	1,575	2,824	1,095	1,658
		Increase ..	..	47	..	296	..	265
		Decrease ..	141	..	94	..	7	..
Tenasserim.	Amherst ..	In 1872 ..	245	943	1,188	2,826	1,157	1,621
		In 1873 ..	262	889	1,151	2,628	1,219	1,315
		Increase ..	17	..	..	..	62	..
		Decrease ..	..	54	37	198	..	306
	Shwe-gyeen ..	In 1872 ..	544	700	1,244	1,640	655	975
		In 1873 ..	576	766	1,342	1,776	659	1,104
		Increase ..	32	66	98	136	4	129
		Decrease ..	..	..	..	..	..	..
	Toungoo ..	In 1872 ..	238	807	1,045	1,570	874	680
		In 1873 ..	167	500	667	1,070	491	556
		Increase ..	..	..	..	..	..	..
		Decrease ..	71	307	378	500	383	124
	Tavoy ..	In 1872 ..	58	285	343	560	218	337
		In 1873 ..	73	285	358	541	218	323
		Increase ..	15	..	15	..	..	..
		Decrease ..	..	..	..	19	..	14
	Mergui ..	In 1872 ..	85	247	332	468	189	275
		In 1873 ..	115	235	350	427	131	283
		Increase ..	30	..	18	..	..	13
		Decrease ..	..	12	..	41	58	..
	Salween ..	In 1872 ..	70	52	122	109	20	79
		In 1873 ..	17	34	51	80	22	53
		Increase ..	..	..	..	..	2	..
		Decrease ..	53	18	71	29	..	26
	Moulmein ..	In 1872 ..	254	1,321	1,575	3,055	1,045	1,991
		In 1873 ..	342	1,762	2,104	4,243	917	3,305
		Increase ..	88	441	529	1,188	..	1,314
		Decrease ..	..	..	..	..	128	..
	Total ..	In 1872 ...	8,121	15,928	24,049	37,844	16,411	20,090
		In 1873 ..	9,062	14,448	23,510	37,118	13,349	22,871
		Increase ..	941	..	..	..	..	2,181
		Decrease ..	..	1,480	539	726	3,062	..

Non-bailable offences, Rangoon, Prome, and Henzada.

3. It will be seen from this table that there has been an increase in the number of non-bailable offences to the extent of 941, or 13 per cent. throughout the province; but this increase is by no means general. It is in fact almost entirely confined to the Districts of Rangoon, Prome, and Henzada, in which three districts the increase is shown at 560, 341, 141, respectively. In Rangoon, the Deputy Commissioner reports the increase to be due to better reporting on the part of the police. Cattle-stealing continues to be the prevalent crime of this district, and the police do not seem to have been very successful in dealing with it, for only 261 persons were brought to trial for 374 reported cases, and of these 261 only 94 were convicted.

4. In Prome and Henzada the increase took place in petty thefts and house-trespass or house-breaking. These crimes and cattle-stealing have taken the prominence formerly occupied by dacoity, which has everywhere decreased; indeed, has almost disappeared. Thus, in Henzada the number of dacoities was 1 in 1873 as compared with 34 in 1861; and in the Tharrawaddy Sub-division, which was formerly, I believe, the hot-bed of this crime, the Magistrate of Henzada reports that there had not been one case since May 1872.

Salween Tracts.

5. And in connection with this subject I may mention the successful administration of the Salween Tracts by Mr. Hildebrand, where dacoities decreased from 26 in the preceding year to none, cattle theft from 15 to 2, and receiving stolen property from 8 to none.

6. I have no doubt, however, that this diminution in violent crime throughout the province, which is due to a more vigorous and determined administration, will be properly noticed in the report on the Police Administration, to which the matter is more appropriate.

Bailable offences.

7. The decrease in bailable offences, which is very general, and amounts to 1,480 in the whole province, and which would be more striking but for the large increase in the town of Moulmein, is due, I hope, in some measure to the greater caution now shown by the Magistrates in the issue of summons on the accused. This result is, I think, wholly matter for satisfaction, as showing that the people are learning to abstain from having recourse to the criminal courts on the occurrence of every petty dispute, and for the satisfaction of private grudge.

8. The increase in the number of bailable offences in the Town of Moulmein is due to a more active prosecution of breaches of Municipal rules. The decrease in petty offences, such as assault, is greater in the town of Moulmein than elsewhere probably. The Magistrate mentions that petty assaults have decreased from 447 to 197.

Moulmein.

9. The next table shows the amount of criminal business in the several districts, the result of the trials, and the state of the files at the end of the year.

Work of magisterial Courts.

Divisions.	Names of Districts.	Number of persons under trial during the year.	Discharged without trial.	Acquitted.	Convicted.	Committed.	Remaining under trial. In custody.	Remaining under trial. On bail.	Number of persons under trial at close of year whose cases have been pending over six weeks.
Arakan.	Akyab ..	8,022	465	437	2,082	29	..	8	..
	Kyouk-hpyoo ..	953	131	118	697	5	1	1	..
	Sandoway ..	315	11	64	240	..	..	..	..
	Northern Arakan ..	53	4	7	35	4	..	3	3
Pegu.	Rangoon ..	4,250	447	1,144	2,483	44	30	92	..
	Bassein ..	4,494	446	1,203	2,479	42	4	14	3
	Henzada ..	5,666	439	1,575	3,618	21	..	7	..
	Prome ..	5,149	206	1,904	3,008	8	9	6	..
	Thayetmyo ..	2,824	739	356	1,658	27	5	..	..
Tenasserim.	Amherst ..	2,628	291	928	1,315	24	6	33	..
	Shwe-gyeen ..	1,776	350	309	1,104	4	3	6	..
	Toungoo ..	1,070	..	491	556	22	1	..	1
	Tavoy ..	541	55	163	323	..	..	..	..
	Mergui ..	427	22	109	288	3	4	..	2
	Salween ..	80	6	16	53	1	..	..	..
	Moulmein ..	4,243	7	910	3,305	12	1	4	..
	Total ..	37,491*	3,619	9,734	23,244*	246	64	174	9

10. As in last year's report, it will be seen that the criminal business is heaviest in the Districts of Henzada and Prome. In each of the

Analysis of district returns.

* 373 persons sent up by Subordinate Magistrates for higher punishment are shown against the Magistrates who committed them as well as against the convicting Magistrate, and thus the difference between these and corresponding totals of preceding table.

Districts of Henzada, Prome, and Bassein, all in the Pegu Division, there were more persons under trial than in the whole of the Arakan Division. The number of persons brought to trial throughout the year in the Districts of Mergui and Sandoway was under 500, in the Districts of the Salween and Northern Arakan, under 100. The population of the southern districts of the Tenasserim Division appear to be of a peaceful and law-regarding disposition. In the District of Tavoy, which has a population of 73,939, there were only 73 non-bailable offences reported, or not 1 to 1,000 of the population.

Proportion of convictions.

11. The proportion of persons convicted, 22,877, to 37,118 persons brought to trial, is 61 per cent. This is hardly satisfactory in regard to cases sent in by the police; but it would probably be higher if offences not cognizable by the police were struck out. The result of trials in cases in which the police are concerned will be no doubt shown in the report on the Police Administration. I may notice that the proportion of convictions amounts to 76 per cent. in the District of Sandoway, where the District Magistrate had charge of the office of Superintendent of Police for a considerable portion of the year.

Persons under trial at close of the year.

12. The number of persons left under trial at the close of the year is large only in the Rangoon District, where it amounted to 122 persons. The Deputy Commissioner explains that a large number of persons were brought up under the Gambling Act towards the close of the year. Twenty-four persons were under trial in the Court of the Deputy Commissioner himself, who was in camp. There is, of course, no reason why a fewer number of persons should be awaiting or undergoing trial on the 31st December than on any other day in the year, but still the number in the Deputy Commissioner's Court and in the Court of the Magistrate at Yandoon, viz. 35, is larger than should be found at any time, except for some special reason.

13. The number of persons awaiting trial at the end of the year, whose cases had been pending more than six weeks, was only 9. Of these 3 were under custody as lunatics, being unable to make their defence, and the other 6 shown in the Northern Arakan and Bassein returns had, I have no doubt, been committed to the Court of Session.

Punishments inflicted.

14. The subjoined table shows the punishments inflicted by the different magisterial authorities.

Divisions.	Class of Tribunal.	Persons sentenced to					Persons ordered to		Amount of Fine.		Awarded as compensation.
		Solitary confinement.	Simple imprisonment.	Rigorous imprisonment	Fine.	Whipping.	Give recognizance or security to keep the peace.	Security for good behaviour.	Imposed.	Realized.	
									Rs. A. P.	Rs. A. P.	Rs. A. P.
Arakan ..	Akyab ..	..	32	457	1,551	87	65	52	24,645 10 0	17,972 9 0	2,236 12 3
	Kyouk-hpyoo ..	..	3	197	483	14	10	61	6,565 8 0	5,566 11 0	256 13 0
	Sandoway ..	..	2	91	146	1	..	71	2,430 9 0	2,203 11 5	221 0 0
	Northern Arakan ..	..	2	14	19	..	..	9	655 8 0	295 8 0	145 0 0
Pegu ..	Rangoon ..	..	17	758	1,310	25	1	282	47,247 0 0	28,645 1 5	6,327 9 9
	Bassein ..	..	13	679	1,672	115	8	246	35,135 9 0	24,912 1 0	5,111 4 0
	Henzada ..	..	18	1,084	2,375	141	1	121	66,684 0 0	34,310 8 9	9,064 8 0
	Prome ..	6	55	797	2,092	58	..	121	28,183 1 0	20,464 1 0	1,666 8 0
	Thayetmyo ..	..	4	346	1,248	51	1	42	21,867 0 0	11,856 8 0	3,771 0 0
Tenasserim ..	Amherst ..	..	9	216	1,080	14	..	280	32,570 15 0	17,648 6 0	3,855 2 0
	Shwe-gyeen ..	..	10	254	793	47	4	64	9,184 0 0	7,381 0 0	1,755 0 0
	Toungoo ..	..	2	98	439	17	..	27	7,205 9 0	4,313 1 0	349 11 4
	Tavoy ..	..	1	43	259	9	..	1	2,726 0 0	2,037 0 0	181 0 0
	Mergui ..	..	..	62	220	6	..	..	2,014 9 0	1,563 9 0	64 5 0
	Salween ..	..	..	26	25	2	..	..	1,367 0 0	1,017 0 0	354 0 0
	Moulmein ..	..	3	212	2,981	56	57	100	33,889 0 0	28,743 0 3	349 0 0
Total ..	2nd and 3rd Class Magistrates ..	..	51	2,205	9,555	201	..	..	1,33,152 9 0	1,02,127 5 6	8,658 2 1
	1st Class Magistrates ..	3	80	2,041	6,126	303	124	928	1,52,537 4 0	88,656 5 1	21,380 15 3
	Magistrates of the District ..	3	40	1,088	1,012	139	23	549	36,681 1 0	18,146 1 3	5,669 8 0
	Total ..	6	171	5,334	16,693	643	147	1,477	3,22,370 14 0	2,08,929 11 10	35,708 9 4
	As compared with 1872 ..	1	309	4,991	14,747	358	47	805	2,74,512 6 0	1,61,178 12 5	17,522 14 7

Simple imprisonment.

15. The number of persons sentenced to simple imprisonment was only 171 as compared with 309 in 1872 The decrease is not be regretted.

Solitary confinement.

16. Six persons only were sentenced to solitary confinement; all in the Prome District.

Rigorous imprisonment.

17. The number of persons sentenced to rigorous imprisonment (5,334) exceeds by 343 the number so sentenced in 1872; but the number sentenced by Magistrates of the third and second class is slightly less than the number sentenced in the previous year. The penalty in three cases out of four inflicted by the Burman Magistrates is that of fine. In the District of Mergui only 11 persons were sentenced to imprisonment by the Subordinate Magistrates, and all these were sentenced by one officer—the Extra Assistant Commissioner at Mergui itself. Even thefts are punished by fine.

Whipping.

18. Six hundred and forty-three persons were sentenced to undergo whipping, nearly double the number whipped in the previous year. In 1872 only 19 persons were sentenced to flogging by the Subordinate Magistrates, while in the year under report 201 were so sentenced by Magistrates of the second class. The increased use of this punishment by the Subordinate Magistrates should be watched, but is not, in my opinion, to be regretted.

19. In the Rangoon District only 25 persons were whipped. I am of opinion that a more frequent recourse to this punishment might prove beneficial in checking a crime like cattle-stealing, which is so rife in this district.

Security for good behaviour.

20. There has been a very large increase in the number of persons ordered to give security for good behaviour, from 805 to 1,477. In each of the Districts of Rangoon and Amherst 280 persons were ordered to give security, and in Bassein 246.

21. Considering that under the provisions of the present law, a man who cannot give an account of himself satisfactorily to a police officer may be arrested by him without a warrant, and may thereupon be ordered by the Magistrate of the district to give security, which perhaps involves committal to prison for six months without the record of any evidence, and that from the Magistrate's order there is no appeal, I am of opinion that a large exercise of this power is to be regretted.

Fines imposed and realized.

22. Out of Rs. 3,22,370 imposed as fines, Rs. 2,08,929 were realized. This is in the proportion of 64 per cent., and is a considerable improvement on the returns for the previous year. In the District of Shwe-gyeen 83 per cent. of the fines imposed were realized as compared with 36 per cent. in 1872; and in the District of Mergui, out of Rs. 1,395 imposed as fines by the Subordinate Magistrates, a sum of Rs. 1,325 was realized.

Compensation to injured persons.

23. And it is, in my opinion, satisfactory to observe that the Magistrates have made more use of the provision of the Code empowering them, on conviction, to award compensation to the injured person. The sum of Rs. 35,708, or double the amount shown in the returns for 1872, was awarded throughout the province on this account. It will be seen that it is the Magistrates of the 3rd class who make the least use of their power in this respect.

Detention of witnesses and duration of trials.

24. The next table shows the detention of witnesses and the average duration of trials—

Divisions.	Name of Districts.	Class of Tribunals.	Number of witnesses discharged after				Average duration of cases.	
			1 day.	2 days.	3 days.	More than 3 days.	For previous year.	For year under review.
Arakan.	Akyab ..	2nd and 3rd class Magistrates ..	2,411	81	..	..	2·0	1·7
		1st class Magistrates ..	2,633	155	39	26	6·0	9·0
		Magistrate of the District ..	63	21	2	..	6·0	3·5
	Kyouk-hpyoo ..	2nd and 3rd class Magistrates ..	2,530	17	..	..	2·3	2·2
		1st class Magistrates ..	..	..	..	..	..	..
		Magistrate of the District ..	157	63	46	..	5·1	9·3
	Sandoway ..	2nd and 3rd class Magistrates ..	686	9	..	..	2·6	2·0
		1st class Magistrates ..	..	..	..	..	..	..
		Magistrate of the District ..	150	2	..	..	3·0	1·0
	N. Arakan ..	2nd and 3rd class Magistrates ..	..	..	..	..	..	..
		1st class Magistrates ..	..	..	..	..	..	..
		Magistrate of the District ..	48	2	..	2	4·02	7·33
Pegu.	Rangoon ..	2nd and 3rd class Magistrates ..	4,031	1,145	112	17	10·0	6·0
		1st class Magistrates ..	1,460	590	281	109	14·0	8·0
		Magistrate of the District ..	340	163	21	3	7·0	8·0
	Bassein ..	2nd and 3rd class Magistrates ..	3,785	194	53	36	3·0	4·0
		1st class Magistrates ..	1,462	59	19	2	4·0	6·0
		Magistrate of the District ..	829	106	45	54	4·0	3·0
	Henzada ..	2nd and 3rd class Magistrates ..	5,660	773	253	112	4·0	3·0
		1st class Magistrates ..	2,205	1,015	235	84	3·0	3·0
		Magistrates of the District ..	154	48	11	..	4·0	8·0
	Prome ..	2nd and 3rd class Magistrates ..	4,454	563	208	10	3·0	3·0
		1st class Magistrates ..	4,479	1,321	470	6	5·0	3·0
		Magistrate of the District ..	533	189	125	43	5·0	4·0
	Thayetmyo ..	2nd and 3rd class Magistrates ..	2,349	195	18	3	4·0	4·0
		1st class Magistrates ..	1,033	125	85	43	8·0	8·0
		Magistrate of the District ..	244	25	27	98	6·0	4·0
		Carried forward ..	41,696	6,861	2,048	658	..	..

Divisions.	Name of Districts.	Class of Tribunals.	Number of witnesses discharged after				Average duration of cases.	
			1 day.	2 days.	3 days.	More than 3 days.	For previous year.	For year under review.
		Brought forward ..	41,696	6,861	2,048	653	..	..
Tenasserim	Amherst ..	2nd and 3rd class Magistrates ..	1,323	376	47	..	4 0	4·0
		1st class Magistrates ..	1,167	291	81	13	7·0	6 0
		Magistrate of the District ..	240	67	13	..	4·0	6·0
	Shwe-gyeen	2nd and 3rd class Magistrates ..	1,265	48	..	..	3·0	3 0
		1st class Magistrates ..	678	56	6	15	4 0	4 0
		Magistrate of the District ..	510	285	70	14	5·0	3·0
	Toungoo .	2nd and 3rd class Magistrates ..	1,283	99	11	3	4 1	16 4
		1st class Magistrates ..	..	..	..	..	..	..
		Magistrate of the District ..	114	1	..	..	3 7	2·4
	Tavoy ..	2nd and 3rd class Magistrates ..	852	..	..	..	4·0	4 0
		1st class Magistrates ..	..	..	..	..	..	..
		Magistrate of the District ..	120	18	..	..	3·0	4 0
	Mergui ..	2nd and 3rd class Magistrates ..	644	4	..	..	2 0	2 0
		1st class Magistrates ..	..	..	..	..	..	..
		Magistrate of the District ..	204	11	..	..	2·0	3·0
	Salween ..	2nd and 3rd class Magistrates ..	10	1	..	..	4 0	2 0
		1st class Magistrates ..	..	..	..	..	..	..
		Magistrate of the District ..	66	..	..	..	6 0	2 0
	Moulmein ..	1st class Magistrate	2,127	239	106	27	3 0	1¼
	Total ..	2nd and 3rd class Magistrates ..	31,288	8,475	700	181	3 5	4 0
		1st class Magistrates	17,244	3,851	1,322	325	5 7	5·0
		Magistrate of the District	3,772	1,001	360	219	4 5	4·0
		Total ..	52,299	8,327	2,382	725	4·4	4·33
		As compared with 1872.. ..	42,079	7,142	3,335	2,061	..	..

25. It cannot be denied that this return shows an improvement upon the similar return for 1872. In that year 5,396 persons were detained over the second day of attendance in Court before their depositions were recorded: in the year under review less than half that number, or 3,107 only were so detained. The Rangoon, Henzada and Prome returns are the worst in regard to the number of witnesses detained, and although allowance must be made for the larger amount of criminal work in these districts, yet I have little doubt that the amount of detention might be considerably reduced by a more strict observance of the days fixed for hearing and a more methodical habit in the discharge of business.

Reduction in number of persons detained.

26. There is little fault to find with the duration of cases. In only one district (Toungoo) it is excessive, and this is sufficiently explained by the abnormal length to which the hear-

Remarks on duration of cases.

ing of one case connected with the Forest Department was prolonged, viz. 150 days. The Rangoon return, though it is better than in 1872, is still susceptible of improvement.

Appeals from Subordinate Magistrates.

27. In the subjoined table is shown the number of appeals from Subordinate Magistrates, and the mode in which they were decided by the Magistrate of the District or other Officer empowered to hear appeals :—

Divisions.	Name of District.	Class of Tribunals.		Number of persons convicted	Number of persons in whose case: Sentence was confirmed or rejected.	Sentence was modified.	Sentence reversed or proceedings quashed.	Percentage of reversals to convictions.
Arakan	Akyab ..	Magistrates of the 2nd and 3rd class		1,190	45	22	2	0·17
	Kyouk-hpyoo.	Ditto	Ditto ..	656	8	18	9	1 37
	Sandoway ..	Ditto	Ditto ..	189	9	..	..	..
	N. Arakan ..	Ditto	Ditto ..	7	..	..	7	100·0
Pegu.	Rangoon ..	Ditto	Ditto ..	1,855	45	1	20	1·07
	Bassein ..	Ditto	Ditto ..	1,410	20	13	42	2 97
	Henzada ..	Ditto	Ditto ..	1,126	26	2	13	1 15
	Prome ..	Ditto	Ditto ..	1,650	17	4	10	0 60
	Thayetmyo ..	Ditto	Ditto ..	2,497	32	18	22	1 47
Tenasserim.	Amherst ..	Ditto	Ditto ..	672	29	2	15	2 23
	Shwe-gyeen ..	Ditto	Ditto ..	721	7	5	5	0 69
	Toungoo ..	Ditto	Ditto ..	315	16	4	3	0 96
	Tavoy ..	Ditto	Ditto ..	266	8	..	2	0·75
	Mergui ..	Ditto	Ditto ..	197	..	..	1	0·50
	Salween ..	Ditto	Ditto ..	..	..	..	..	..
			Total ..	11,691	257	89	151	1·29
		As compared with 1872 ..		9,226	157	42	113	1 2

Proportion of appeals from Subordinate Magistrates.

28. Out of 11,691 persons convicted by the Magistrates of the third and second classes, 497, or somewhat more than 4 per cent. appealed. The proportion is in excess of that shown in last year's return, but it is still remarkably small. The Prome returns show but 31 appeals to 1,650 convictions. I think myself that the small proportion of appeals is due more to respect for authority and difficulty of communication, than the legality of the decisions of the Lower Courts. Cases are frequently referred to my Court as a Court of Revision, in which the persons convicted have acquiesced in decisions absurdly illegal.

Result of appeals.

29. Of the 497 appellants, 240, or nearly one-half, succeeded in obtaining an alteration in their sentences. In the District of Bassein 75 persons appealed, and 55 of these appeals were more or less successful. In the District of Sandoway, on the other hand, only 9 persons appealed, and not one was successful.

Work of Courts of Session.

30. The work of the Courts of Session is shown below:—

Divisions.	Designation of Judge.	Number of persons brought to trial including cases pending from last year.	Number of persons acquitted.	Number of persons convicted.	Number of capital sentences referred for confirmation by Judicial Commissioner.	Average duration of trials.	Number of persons whose cases were left undisposed of at the end of the year.	Number of persons whose cases have been pending for more than 3 months from date of commitment.	Number of cases in which Judge agreed with Assessors.	Number of cases in which Judge disagreed with Assessors.
						Days.				
Arakan ..	Commissioner and Sessions Judge ..	43	4	26	7	39·47	13	..	11	4
Pegu ..	Commissioner and Sessions Judge ..	118*	31	78	8	58·0	7	2	29	19
Tenasserim ..	Commissioner and Sessions Judge. ..	37	11	21	3	34·0	5	4	9	..
	Judge of the Town of Moulmein ..	13	8	5	1	19·0	..	..	..	..
	Total ..	211	54	130†	19	37·6	25	6	49	23
	As compared with 1872,	585	195	334	88	20·0	16	7	203	61

* 1 escaped; 1 died in jail. | † Capital sentences are included here.

Reasons for decrease in number of persons tried.

31. The decrease in the number of persons tried in the Courts of Session from 585 to 211 is due to the fact that the Deputy Commissioners no longer hold Courts of Session, but try offences as Magistrates, when exercising the enlarged powers with which they are invested under Section 36 of the new Code of Criminal Procedure.

Sessions work in Pegu.

32. The work of the Sessions Judge at Pegu is by far the heaviest, 118 persons were tried by him as compared to 80 tried by the two other Divisional Courts of Session.

Duration of Sessions cases.

33. The average duration of the cases tried before the Courts of Session was longest in Pegu, viz. 58 days. The duration is reckoned from the date of commitment, and, when the Commissioner is unable to visit the district more frequently than once a year, may extend to many months.

Cases pending.

34. The cases of six persons left undecided at the close of the year had been pending for more than 3 months. Of these, 4 belonged to the district of Toungoo, which the Commissioner was not able to visit till early in the current year: one person was an insane; regarding the sixth, no explanation has been given in the Pegu Divisional Report, and enquiries are being made.

Uniform concurrence with opinion of Assessors in Tenasserim.

35. It may be noticed that the Sessions Judge of Tenasserim did not disagree in any one case with the opinion of the Assessors.

Punishments by Courts of Session.

36. The various punishments inflicted by Courts of Session were as follows :—

DIVISIONS.	DESIGNATION OF JUDGE.	PERSONS SENTENCED TO									AMOUNT OF FINES.		
		Death	TRANSPORTATION.		IMPRISONMENT.			Solitary confinement.	Fine	Whipping	Imposed	Realized.	Awarded as compensation.
			For life.	For term.	Rigorous		Simple.						
					Over 7 years	7 years and under	Over 7 years.	7 years and under					
ARAKAN ..	Commissioner and Sessions Judge ..	7	4	..	3	12	..	..	..	..	..	..	..
PEGU ..	Commissioner and Sessions Judge ..	8	23	6	8	30	..	1	..	..	4,825	2,625	..
TENASSERIM ..	Commissioner and Sessions Judge ..	3	3	..	9	6	..	..	..	..	..	..	..
	Judge of the Town of Moulmein ..	1	*	..	..	2	..	..	5†	..	..	..	..
	Total ..	19	30	6	20	50	..	1	5	..	4,825	2,625	..
	As compared with 1872 ..	38	37	9	12	251	..	..	29	4	10,927	1,577	25

* Sentence on two persons convicted in 1873 was reserved until the opening of the Court in 1874, when they were sentenced to transportation for life.
† Three of these are also shown under Column 7.

37. Only 19 persons were sentenced capitally as compared with 38 in 1872, and 30 to transportation for life as compared with 37 in the previous year.

Sentences of death and transportation for life.

38. The penalty of fine was inflicted only on five persons by the Sessions Judge of Pegu, and no fines, or portions of fines, were awarded as compensation to persons injured or prosecuting.

Fines.

39. The result of appeals from Magistrates to the Court of Session was as follows :—

Result of appeals to Court of Session.

Divisions.	Name of Magistrate from whose decision the appeal was preferred.		Number of persons convicted by him in appealable cases.	Number of persons whose sentences were confirmed or appeals rejected.	Number of persons whose sentences were modified.	Number of persons whose sentences were reversed or proceedings quashed.
Arrakan ..	Lieut.-Col. H. N. Davies ..	Akyab ..	51	5	4	..
	Captain H. A Gower ..		3	2	..	..
	Mr. C. J. A. Duke ..		88	9	..	..
	Mr. H. Buckle ..	Magistrate, Akyab Town	859	23	2	5
	Lieut.-Col. C. P Hildebrand .	Kyouk-hpyoo ..	41	4	..	..
	Major G. E Fryer ..	Sandoway .	51	26	..	6
Pegu ..	Major C. W. Street ..	Rangoon ..	248	54	1	2
	Mr S F. A Smith ..		2	2	..	..
	Mr W. C. Midwinter ..		237	48	5	16
	Mr G L Weidemann ..		335	39	14	18
	Mr. A Hough ..		50	8	..	..
	Major W. W. Pemberton ..	Bassein ..	43	13	..	..
	Mr. R. F. St. A St. John ..		73	8	2	..
	Lieut. C A Cresswell ..		456	20	5	9
	Captain T J. Baynes ..		20	..	..	..
	Mr. W. DeCourcy Ireland ..	Henzada ..	110	42	5	2
	Captain C. O'L. Prendergast ..		100	12	1	6
	Captain M C. Poole ..		118	10	..	2
	Captain G. Alexander ..		274	17	8	1
	Captain H. R. Spearman ..	Prome ..	41	25	4	..
	Major A. R. McMahon ..		30	3	..	..
	Captain M Furlong ..		133	5	1	2
	Lieut. F. B. Raikes ..		89	..	1	..
	Lieut G. F Thorp ..			3	..	..
	Mr. W C. Midwinter ..		12	..	..	..
	Mr. L McIver ..		51	..	..	..
	Mr. E. Richardson ..		308	9	..	..
	Lieut.-Col. H. A Browne ..	Thayetmyo ..	91	4	..	..
	Captain H A Gower ..		33	1	1	..
	Mr. G. D. Burgess ..		145	12	..	1

Divisions.	Name of Magistrate from whose decision the appeal was preferred.	Number of persons convicted by him in appealable cases.	Number of persons whose sentences were confirmed or appeals rejected.	Number of persons whose sentences were modified.	Number of persons whose sentences were reversed or proceedings quashed.
Tenasserim ..	Major E. B Sladen Mr S. F A Smith Mr G. E Barr Mr J C Davies Mr K. G. Burne — Amherst	66 127 132 95	.. .. 13 2 3	.. .. 1	1 2 10 4 4
	Mr. C. J. F S. Forbes Mr S. F A Smith Mr. R. H Pilcher — Shwe gyeon	451 146 148	3 3 .	2 1 ..	.. 6 2
	Major M Lloyd — Toungoo Lieut.-Col E J Spilsbury — Tavoy Major W Munro — Mergui Mr. A. H Hildebrand — Salween	55 47 91 45	1 2 1 1	.. 1	.. ..
	Lieut. J. Butler — Town Magistrate of Moulmein	322	41	4	10
	Total ..	5,717	469	58	109

40. 636 Persons out of 5,717 convicted by the Magistrates of the first class appealed to the Court of Session. The percentage is about double that which obtained in appeals from Subordinate Magistrates. The largest number of appellants was from the sentences of the Magistrates of the Rangoon District,—namely 202. And of the total number of persons who appealed to the Courts of Session, viz. 636, 432 preferred their appeals in the Sessions Court for Pegu.

Proportion of appeals.

41. 51 Persons were convicted by the Deputy Commissioner of Sandoway, and of these all but 19 appealed to the Court of Session, and 10 others, as will be seen from a subsequent table, appealed to the Court of the Judicial Commissioner. Of the 26 who appealed to the Court of Session, only 6 were successful.

Appeals from Sandoway.

42. There were 57 appeals preferred from the decisions of Major Street to the Court of Session, and only 3 of these were successful, while of 71 appeals preferred to the same Court from the sentences of Mr. Weidemann, 32 were successful.

Appeals from Rangoon.

Appeals from Akyab.

43. The return is noticeable in the case of Mr. Buckle, the Town Magistrate of Akyab, who convicted 859 persons, 23 of whom only appealed, and 7 only obtained an alteration of their sentences. It is possible, I think, that summary convictions, which are only appealable when the sentence exceeds 3 months imprisonment or 200 rupees fine, have not been excluded, as they should have been from the return ; but the result may be taken as creditable to Mr. Buckle's judgment.

Appeals from Shwegyeen.

44. Mr. Forbes, the Deputy Commissioner of Shwe-gyeen, convicted 451 persons in appealable cases, and 5 only of these appealed; 3 of the appeals were rejected, and 2 appellants obtained a modification of their sentence. No appeals from the sentences of this officer were preferred to my Court.

Work of Appellate Courts.

45. The work of the Appellate Courts is shown in the subjoined table :—

Division	Designation of Tribunal and name of Judge or Magistrate.	Number of appeals preferred including those pending from previous year.	Number decided.	Number returned for further inquiry.	Average duration of appeals	Number left pending at close of year.	Of these pending for more than six weeks.
					Days		
Arakan.	Lieut.-Col H N. Davies, Deputy Commissioner, Akyab .	19	19	..	21	..	..
	Captain H. A. Gower, ditto, ditto ..	1	1	..	22	..	..
	Lieut.-Col C P. Hildebrand, ditto, Kyouk-hpyoo	25	25	.	7	..	..
	Major G. E. Fryer, ditto, Sandoway ..	9	9	..	1	..	..
	Captain W G. Hughes, Superintendent, Hill Tracts .	1	1	..	..	..	..
	Col. J. F J Stevenson, Commr. and Sessions Judge .	55	54	..	10	1	..
	Lieut.-Col. H. N. Davies, Offg. ditto ..	6	6	..	16	..	..
	Carried forward ..	116	115	..	..	1	..

Division.	Designation of Tribunal and Name of Judge or Magistrates.	Number of appeals preferred including those pending from previous year.	Number decided.	Number returned for further inquiry.	Average duration of appeals.	Number left pending at close of year.	Of these pending for more than six weeks.
					Days.		
	Brought forward ..	116	115	..	..	1	..
Pegu.	Major C. W. Street, Deputy Commissioner Rangoon ..	23	23	..	9	..	..
	Major W. W. Pemberton, ditto, Bassein ..	81	81	..	8	..	..
	Mr. R. F. St. A. St. John, ditto, ditto ..						
	Mr. W. DeCourcy Ireland ditto, Henzada ..	37	33	..	8	4	..
	Captain H. R. Spearman, ditto, Prome ..	20	19	1	2	..	..
	Major A. R. McMahon, ditto, ditto ..						
	Captain M. Furlong, ditto, ditto ..						
	Lieut.-Col. H. A. Browne, ditto, Thayetmyo	47	45	..	4	2	..
	Col. R. D. Ardagh, Commissioner, and Sessions Judge ..	317	300	4*	17	17	..
Tenasserim.	Major E. B. Sladen, Deputy Commissioner, Amherst ..	11	11	..	15	..	..
	Mr. C. J. F. S. Forbes, ditto, Shwe-gyeen ..	17	17	..	9	..	..
	Major M. Lloyd ditto, Toungoo ..	10	10	..	11	..	..
	Lieut.-Col. E. J. Spilsbury ditto, Tavoy ..	4	4	..	6	..	..
	Major W. Munro, ditto, Mergui ..	1	1	..	4	..	..
	Mr. A. H. Hildebrand, Assistant Commissioner, Salween ..	..	..	..	..	..	..
	Col. D. Brown, Commissioner and Sessions Judge ..	51	48	..	25	3	..
	Major A. G. Duff, Sessions Judge ..	15	13	2	8	..	..
	Mr. D. G. Macleod, ditto ..	31	30	..	5	1	..
	Total ..	731	700	7	10·15	28	..

* These are also included in the 17 persons shown in column 6.

Appellate work in Pegu.

46. It will be seen from this return that, excluding the Court of the Judicial Commissioner, half the appellate business of the province came into the Court of the Commissioner and Sessions Judge of Pegu.

Thayetmyo District Court of Appeal.

47. Among the District Courts of appeal the largest amount of work, viz. 47 appeals, fell to the share of the Deputy Commissioner of Thayetmyo.

Duration of appeals.

48. The average duration of appeals throughout the province was only 10 days. It is somewhat high in the Akyab District Court.

State of appellate files.

49. The state of the appellate files at the close of the year was satisfactory.

Court of the Judicial Commissioner.

50. In the subjoined table is shown the work of the Court of the Judicial Commissioner.

Name of District or Division.	Name of Deputy Commissioner or Sessions Judge.	Number of persons who appealed, or whose cases were called for.	Number of sentences confirmed.	Number modified.	Number of persons acquitted.	Number of capital sentences referred for confirmation.	Number of capital sentences confirmed	Number modified.	Number of persons acquitted.	Pending	Remarks.
Arakan Division ..	Colonel J. F. J. Stevenson ..	16	7	..	8	7	4	..	2	..	2 new trials ordered.
	Lieut.-Colonel H. N. Davies ..	3	3	..	..	..	..	..	..	..	
Pegu ..	ditto ..	42	26	6	7	12	10	2	..	3	
Tenasserim ditto ..	Colonel R. D. Ardagh ..	13	2	..	11	3	2	1	..	..	
	Colonel D. Brown ..	10	8	1	1	..	..	..	..	..	
Amherst District..	Major E. B. Sladen ..	3	..	..	3	..	..	..	..	..	
	Mr. S. F. A. Smith ..	2	2	..	..	..	..	..	..	..	
Toungoo ditto ..	Major M. Lloyd ..	..	..	..	..	..	..	..	..	..	
Salween ditto ..	Mr. A. H. Hildebrand ..	1	1	..	..	..	..	..	..	..	
Rangoon ditto ..	Major C. W. Street ..	11	6	..	3	..	..	..	..	..	2 new trials ordered.
Bassein ditto ..	Major W. W. Pemberton ..	1	..	..	1	..	..	..	..	..	
	Mr. R. F. St. A. St. John ..	3	1	1	1	..	..	..	..	..	
Henzada ditto ..	Mr. W. deCourcy Ireland ..	21	8	1	3	..	..	..	..	1	9 proceedings quashed.
	Captain H. R. Spearman ..	4	2	1	1	..	..	..	..	..	
Prome ditto ..	Major A. R. McMahon ..	1	1	..	..	..	..	..	..	..	
	Captain M. Furlong ..	14	1	2	11	..	..	..	..	1	
Thayetmyo ditto ..	Captain H. A. Gower ..	4	2	..	1	..	..	..	..	..	
Kyouk-hpyoo ditto ..	Lieut.-Colonel C. P. Hildebrand ..	1	1	..	..	..	..	..	..	..	
Sandoway ditto ..	Major G. E. Fryer ..	10	..	..	9	†	..	..	..	1	
Moulmein ditto ..	Mr. D. G. Macleod ..	3	3	..	..	..	..	..	..	..	
	Lieutenant J. Butler ..	6	2	..	3	..	..	..	..	1	
	Carried forward..	169	77	11	63	22	16	3	2	6	

* Includes four persons whose cases were pending from last year.
† One capital sentence, referred to this Court for confirmation, was received in 1874, and not included here.

NAME OF DISTRICT OR DIVISION.	NAME OF DEPUTY COMMISSIONER OR SESSIONS JUDGE.	Number of persons who appealed, or whose cases were called for.	Number of sentences confirmed.	Number modified.	Number of persons acquitted.	Number of capital sentences referred for confirmation.	Number of capital sentences confirmed.	Number modified.	Number of persons acquitted.	Pending.	REMARKS.
	Brought forward..	169	77	11	63	22	16	3	2	6	
Rangoon District..	Mr. W. C. Midwinter, Assistant Commissioner ..	1	..	1	..	..	..	..	..	..	
Bassein ditto	Captain T. J. Baynes, ditto ..	1	..	..	1	..	..	..	..	..	
	Mr. A. H. Unwin, ditto ..	1	..	..	..	..	..	..	..	..	1 new trial ordered.
Thayetmyo ditto ..	Lieutenant B. A. N. Parrott, ditto ..	1	..	..	1	..	..	..	..	..	
Kyiekhto ditto ..	Assistant Commissioner ..	1	..	..	1	..	..	..	..	..	
Akyab ditto ..	Mr. C. J. A. Duke, ditto ..	8	..	..	8	..	..	.	..	..	
Moulmein ditto ..	Mr. G. E. Barr, ditto ..	1	..	..	1	..	..	..	..	..	
Pyapoon ditto ..	Moung Tsan Tha, Extra Assistant Commissioner ..	2	..	..	1	..	..	..	..	..	1 proceedings squashed.
Hpoungleng ditto ..	Moung Gyee, ditto ditto ..	2	..	..	2	..	..	..	..	..	
Thongwa ditto ..	Moung Htoon Oung, ditto ditto ..	13	..	..	13	..	..	..	..	..	
Hmawbee ditto ..	Moung Hpai, ditto ditto ..	1	..	..	1	..	..	..	..	..	
Donabyo ditto ..	Moung Kyah Doon, ditto ditto ..	1	1	..	..	..	..	..	..	..	
Shweloung ditto ..	Moung Byah, ditto ditto ..	7	..	..	7	..	..	..	..	..	
Myoungmya ditto ..	Moung Kya, ditto ditto ..	6	..	..	6	..	..	..	..	..	
Choung-tha ditto ..	Moung Yo, ditto ditto ..	2	..	..	2	..	..	..	..	..	
Laymyethna ditto ..	Moung Tsee, ditto ditto ..	2	..	..	2	..	..	..	..	..	
Padoung ditto ..	Moung Theng, ditto ditto ..	10	6	1	3	..	..	..	..	..	
Swelay ditto ..	Moung Oh, ditto ditto ..	1	..	..	1	..	..	..	..	..	
Mahathaman ditto ..	Moung Tsaw Hnan, ditto ditto ..	1	..	..	1	..	..	..	..	..	
Sittang ditto ..	Moung Shwe Hmat, ditto ditto ..	3	..	3	..	..	..	..	..	..	
Kyouk-hpyoo ditto ..	Moung Shwe Dike Kay, ditto ditto ..	1	..	1	..	..	..	..	..	..	
	TOTAL ..	235	84	17	114	22	16	3	2	6	

Analysis of work of Judicial Commissioner.

51. The number of persons whose cases came before the Court of the Judicial Commissioner was 235, as compared with 113 in the previous year. Of these 126 were appellants, and the cases of 109 persons came before the Court as a Court of Revision. The increase of business has taken place chiefly in the exercise of my jurisdiction as a Court of Revision. I have indeed encouraged the Magistrates to call for the records of the Subordinate Courts in convictions of certain offences, especially where I find the Burman Magistrates prone to error. These are supposed offences under Chapter X of the Penal Code—"Contempts of the lawful authority of public servants," and especially under Section 174—"Non-attendance in obedience to an order from a public servant." It is common under this latter section to punish neglect of miscellaneous executive orders.

Proportion of acquittals and modification of sentences.

52. The large proportion of acquittals and modifications of sentences, viz. 131, to 84 sentences confirmed, is due principally to the number of irregular sentences by the Magistrates of the third and second classes, which I have had occasion to set aside. Out of 147 sentences passed by the Courts of Session and the Magistrates of districts in the exercise of their enlarged powers which came before my Court on appeal or revision, 76 were confirmed as compared with 71 which were modified or set aside.

Capital sentences referred.

53. Capital sentences on 22 persons were referred for confirmation, and the sentences on 16 were confirmed. Two persons capitally sentened were acquitted.

Superintendence of Subordinate Courts.

54. As the Chief Commissioner is aware, for nearly half the year I performed the duties of Recorder of Rangoon in addition to my duties as Judicial Commissioner, and during those months I had little time to attend to the duty of superintending the Courts of the province. In the earlier part of the year I had visited the Courts of the Arakan Division.

Introduction of new forms and rules.

55. In August I issued forms which I had framed for use in Criminal Proceedings under the new Code of Procedure, and in October the rules for regulating the fees chargeable on processes, and the remuneration and number of persons employed in their service, were brought into force.

56. The forms will, I hope, be of use in guiding the proceedings of the Magistrates.

Delay in receipt of correct district returns.

57. The submission of this report has again been delayed for nearly two months by the submission of incorrect statements from the Rangoon, Bassein, Henzada, Prome and Thayetmyo Districts. Corrected statements were only received on the 26th May.

APPENDICES TO PART I:

COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON.

B—Judicial

Showing the various Judicial Tribunals, Original and Appellate, of the Courts

Class of Tribunal. Distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	No. of Judicial divisions.	Average area of each division in square miles.	Average population of each division.	No. of tribunals.	Constitution of tribunals, stating No. of Judges in each and Jury or Assessors, if any.	Judicial powers of each tribunal, Original and Appellate.	Prescribed qualification of Judges previous to appointment.
Recorder's Court, Rangoon ,, .. { Civil .. / Criminal	1 / 1	45	..	1	1 Judge and Jury of 5 in Sessions cases.	Original jurisdiction, Civil and Criminal, and Criminal Appellate jurisdiction.	Barrister of 5 years' standing.
Small Cause Courts confined to proper functions.—Court of the First Judge.	1	45	98,745	1	1 Judge, no Jury or Assessors.	Original Civil jurisdiction up to Rs. 1,000	..
Ditto.—Court of the Second Judge.	1	45	..	1	1 Judge, no Jury or Assessors.	Original Civil jurisdiction up to Rs. 500	Extra Assistant Commissioner, 1st grade.
1st Class Magistrate exercising criminal powers only.	1	45	..	1	1	Two years. Hears appeals from Assistant Magistrate.	..
Assistant Magistrate	1	45	..	1	1	Six months ..	..

Statement I.

exercising jurisdiction within the Town of Rangoon on the last day of 1873.

Total Number of Judges. Europeans. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of tribunals.	Net receipt from stamps.	Executive or other functions exercised by the same officers.	Average number of days in the year devoted to judicial work.	Average number of Advocates attached to each tribunal.	No. of cases decided during the year. Criminal.	Civil.	Appeal.
				Rs.	Rs.	Rs.	Rs.				Criminal Sessions 43 Criminal Miscellaneous 9	209 295	15 0
..	..	1	..	30,000	..	40,083-10-9	26,813-13-0	One of the Judges of the Special Court.	*144	14	.. ..	.. ..	.. ..
													Criminal .. ..
													Civil .. ..
1	..	..	..	12,000	..	14,622-10-8	23,718	Under orders of the Chief Commissioner the Court sat as a Marine Court on the 3rd and 10th March 1873, to enquire into the conduct of 2 Pilots relative to a collision between two vessels in the Pegu Creek.	231	13	..	3,210 2,757	
..	..	..	1	..	5,400	4,800-0-0	† 4,515	..	†194	20	..	Regular 864 Miscellaneous 309	
..	1	..	..	12,000	..	..	..	In executive charge of Town, of Municipal Fund, and partially of revenue.	205	15	1,899	..	9
						27,294-7-10	2,143						
..	1	..	..	5,400	..	..	..	Assists the Magistrate in executive work.	225	15	1,567	..	

* Office vacant for five months.
† Office created during the year.

Judicial Statement 2.—(Criminal.)

Statement of Offences Reported and of Persons Tried, Convicted, and Acquitted for each Offence in the Courts exercising jurisdiction within the Town of Rangoon in the year 1873.

Description of Offences.	Section of Code applicable	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Remaining under trial.	Remarks.
CLASS I.								
Offences against the State, Public, and Justice.								
Against Public Justice.								
Using or possessing false weights ...	264 to 267	1	8	...	8	...	...	
Giving false information to public servant,	182	2	3	2	1	...	...	
Obstructing public servant	186, 187	3	3	...	3	...	...	
Disobedience of lawful orders ...	188	37	145	73	72	...	...	
Harbouring an offender	212, 216	1	2	2	...	...	...	
Escape from lawful custody	224	2	2	...	2	...	...	
Disobeying summons or notice ...	172 to 175	1	1	...	1	...	...	
By Public Servant.								
Taking gratification	161, 165	5	7	...	6	...	1	
Allowing to escape	221, 222	1	3	3	...	...	...	
Breach of Police Act by public officers ...	Act V of 1861	6	6	1	5	...	...	
False evidence, false complaints or claims, and forgery	...	...	...	...		...	..	

Giving false evidence	193	9	11	9	2	...	...
Fraudulent removal of property ...	421	2	2	2	...	...	...
Frivolous complaints	209, C. P. C.	2	2	...	2	...	...
Public Nuisance.							
Public nuisance under Police Act ...	Act V of 1861	753	1,396	82	1,314	...	...
Cruelty to animals	Ditto	59	82	4	78	...	...
Relating to Public Peace.							
Rioting or unlawful assembly ...	143, 153	5	85	10	75	...	...
Do. armed with deadly weapon ...	145	1	6	3	3	...	...
Affray	[illegible]	4	8	1	7	...	...
CLASS II.							
Offences against the Person.							
Murder	302	5	11	8	3	...	...
Attempt to murder	307	1	1	1	...	...	...
Culpable homicide	304, 308	3	3	...	3	...	...
Grievous hurt	325, 326	13	14	3	9	...	2
Do. do. on grave provocation ...	326—335, 334	9	9	1	8	...	...
Hurt	323, 334	12	19	3	16	...	...
Do. by dangerous weapons	324—334, 335	6	7	2	4	...	1
Not dangerous to life or safety ...	336, 337	1	1	...	1	...	...
Wrongful confinement	342 to 346	2	3	...	3	...	...
Assault or criminal force	352—355, 358	713	1,128	860	268	...	...
Criminal intimidation and insult ...	504 to 509	94	136	97	39	...	...
Kidnapping or abduction	363 to 365, 367 to 369	7	7	6	1	...	...
Enticing a married woman	498	2	2	2	...	...	...
Carried forward ...	...	1,762	3,113	1,175	1,934	...	4

Judicial Statement 2—(Criminal.)—*(Continued.)*

Statement of Offences Reported and of Persons Tried, &c.—(Continued.)

Description of Offences.	Section of Code applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Remaining under trial.	Remarks.
Brought forward ...	...	1,762	3,113	1,175	1,934	...	4	
Offences against the Person.—(Continued.)								
Adultery	497	14	14	13	1	...	...	
Rape	376	1	1	1	...	...	...	
Unatural offences	377	3	2	2	1	...	...	
Defamation	500, 502	11	18	15	3	...	...	
CLASS III.								
Offences against Property with violence.								
Dacoity	397	1	1	1	..	...	...	
Preparation or assembly for dacoity ...	399, 402	1	1	1	...	...	...	
Robbery	392—411, 393, 109, 349	10	13	2	9	2	...	
Extortion	384 to 389	27	9	2	7		...	
House-breaking, or house-trespass in order to commit theft	451, 454, 457	18	20	4	16	.	...	
Without violence.								
Theft	379, 380. 381	707	342	52	289	...	1	

Dishonestly receiving stolen property ...	411, 414	32	46	11	34	1	...
Dishonest misappropriation of property ...	403, 404	4	4	1	3	...	...
Criminal breach of trust	406, 409	18	18	10	8	...	...
Cheating	417, 420	11	13	6	7	...	...
Being in possession of false weights ...	266	2	34	...	34	...	...
Malicious Offences.							
Mischief	426	31	45	25	20	...	...
Criminal trespass	447, 448	32	45	30	15	...	...
CLASS IV.							
(*Not included in the above Classes.*)							
Vagrancy without ostensible means of livelihood	...	65	87	34	53	...	...
Bad habits and repute	505, 506	23	45	...	45	...	...
Selling noxious food	273	1	1	...	1	...	...
Furious driving	279	15	16	4	12	...	...
Negligent conduct with respect to fire ...	285	22	25	3	22	...	...
Breach of special Law for the protection of the Revenue.							
Excise	Act X of 1871	83	107	18	89	...	...
Breach of Hack Carriage Rules ...	Local Rules	244	483	103	380	...	...
Do. of Boat Rules	...	14	31	1	30	...	...
Do. of Cart Rules	...	7	10	...	10	...	...
Do. of Contract	Act XIII of 1859	8	8	6	2	...	...
Do. of Ferry Rules	Ditto	2	2	1	1	...	...
Refusal of duty and desertion ...	M. S. Act	25	74	50	24	...	...
Indian Shipping Act	Act I of 1859	2	9	8	1	...	...
Breach of Port Rules	Act XXII of 1855	15	28	5	23	...	...
Gambling	„ III of 1867	133	555	54	501	...	...
Maintenance	„ 536, C. P. C.	18	18	10	8	...	...
Carried forward ...	...	3,362	5,239	1,648	3,583	3	5

Judicial Statement 2.—(Criminal)—*(Concluded.)*

Description of Offences.	Section of Code applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Remaining under trial.	Remarks
Brought forward ...	...	3,362	5,239	1,648	3,583	3	5	
Breach of special Law for the protection of the Revenue.—(Concluded.)								
Selling and being in possession of soldiers' clothing	Act VII of 1867	1	5	2	3	...	.	
Arms Act	„ XXI of 1860	1	1	...	1	...	...	
Forfeiture of security	C. P. C.	1	2	...	2	..	...	
Breach of Prison Act	Act XXVII of 1870	5	6	1	5	...	...	
Do. of Lock Hospital Rules ...	„ XXVII of 1864	124	230	6	224	...	...	
Do. of Cantonment Rules	Ditto	76	135	6	129	...	.	
Indian Registration Act	Act VIII of 1871	1	4	4		...	...	
Breach of Forest Rules	...	1	1	...	1	...	...	
Do. of Municipal Act	„ XIV of 1856	192	875	82	793	..	...	
Do. do.	„ XLVIII of 1860	143	360	20	340	...	...	
Bound down to keep the peace ...	„ 491, C. P. C.	16	42	23	19	...	...	
Total .		3,923	6,900	1,792	5,100	3	5	

Judicial Statement 3.—(Criminal.)

OF COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON.

Judicial Statement

Statement showing the general results of Criminal Trials in the Tribunals of

Class of Tribunal.	Number of Persons dealt with.						
	Remaining at end of last year.	*Brought to trial during the present year.*				Received by transfer.	Total.
		Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.		
Town Magistrate	11	2,523	431	918	...	...	3,883
Assistant Magistrate	5	1,394	90	1,528	...	...	3,017
Total Magistracy ...	16	3,917	521	2,446	...	...	6,900
Sessions Court (Recorder's) ...	3	...	55	...	...	...	58
Grand total ...	19	3,917	576	2,446	...	...	6,958

3.—(Criminal.)

various Classes exercising jurisdiction in the Town of Rangoon, in the year 1873.

Prisoners disposed of.					Remaining at end of the year.	Average number of days during which each case lasted.	Number of witnesses who attended.	Remarks.
Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred.				
414	246	3,172	44	2	5	2½	2,689	
74	1,040	1,891	11	1	...	2½	2,776	
488	1,286	5,063	55	3	5	2½	5,465	
...	21	37	...	...	...	16	292	All persons tried by Sessions Court are brought up by commitment.
488	1,307	5,100	55	3	5	9	5,757	

Judicial Statement

Statement showing the punishments inflicted by various Criminal Tribunals in

Class of Tribunals.	Persons sentenced to												Persons ordered to give				
	Death.	Transportation.		Penal servitude.	Imprisonment.			Forfeiture of property.	Fine.		Whipping.		Surety of the peace.	Recognizance.	Sureties for good behaviour.	Rs. 10 and under.	Rs. 50 and under.
		For life.	For a term.		Rigorous.		Simple		With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.					
					With solitary confinement.	Without solitary confinement.											
Town Magistrate ..	..	..	..	..	5	465	82	3	46	2,447	17	68	23	..	10	2,138	279
Assistant Magistrate ..	..	..	..	..	..	116	2	..	3	1,725	15	30	..	..	6	1,326	350
Total Magistracy ..	..	..	..	..	5	581	84	3	49	4,172	32	98	23	..	16	3,464	629
Sessions Court (Recorder's) ..	*2	2	2	†1	..	26	..	..	3	1	..	..	..	..	..	..	..
Grand total ..	2	2	2	1	5	607	84	3	52	4,173	32	98	23	..	16	3,464	629

* One commuted to transportation for life by the Chief Commissioner. † For life.

4.—(Criminal.)

the Courts exercising jurisdiction in the Town of Rangoon, in the year 1873.

DETAIL OF PUNISHMENT.																				
FINE.							IMPRISONMENT.										WHIPPED.			
							15 *days.*		6 *months.*		2 *years.*		7 *years.*		7 *years & above.*					
Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	10 stripes and under.	20 stripes and under.	30 stripes and under.	
2	28	..	..	..	..	..	140	30	275	44	116	8	..	..	..	..	38	28	2	
				52,795-8-3	39,487-0-3	182-0-0														
41	8	..	..	..	..	..	31	..	94	2	9	..	..	..	..	..	12	12	6	
43	36	..	..	52,795-8-3	39,487-0-3	182-0-0	171	30	369	46	125	8	..	..	..	..	50	40	8	
1	..	3	..	2,100-0-0	71-4-0	..	..	..	1	..	5	..	19	..	1	..	..	..	..	
44	36	3	..	54,895-8-3	39,558-4-3	182-0-0	171	30	370	46	130	8	19	..	1	..	50	40	8	

Judicial Statement

Statement showing the result of Appeal and Revision in Criminal

Rangoon, during

Tribunal.	Number of appellants or persons applying for revision.	Number	
		Appeals or applications rejected.	Sentences confirmed.
1	2	3	4
Sessions Court (Recorder's)	18	9	...
1st Class Magistrate exercising criminal powers only ...	13	6	6
Assistant Magistrate	...	...	...
Total ...	31	15	6

5.—(Criminal.)

Cases in the Courts exercising jurisdiction within the Town of

the year 1873.

OF PERSONS.						
Sentences modified.	Sentences reversed.	Proceedings quashed.	Further inquiry or evidence ordered.	Cases referred for revision to High Court.	Pending.	Remarks.
5	6	7	8	9	10	11
4	...	4	...	...	1	
1	...	...	...	...	...	
...	...	...	...	...	...	
5	...	4	...	...	1	

Judicial Statement

Statement showing the number and description of Civil Suits instituted in the

SUITS FOR MONEY, DISTINGUISHING SUITS UP TO Rs. 500, COGNIZABLE BY SMALL CAUSE COURTS, FROM

CLASS OF TRIBUNALS.	On written obligation.		On unwritten.		On account stated.		Money had and received.		Goods sold.		Breach of contract not mentioned above.		Rent not falling under the Rent Law.	
	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500,
Recorder's Court, Rangoon	..	57	..	4	..	8	..	4	..	1	..	3	..	..
Court of Small Causes. Court of the First Judge	1430	74	639	7	44	2	146	3	552	4	8	2	165	1
Court of the Second Judge	276	..	232	..	4	..	52	..	211	..	8	..	72	..
TOTAL ..	1706	131	871	11	48	10	198	7	763	5	16	5	237	1

6—(Civil.)

Civil Courts exercising jurisdiction within the Town of Rangoon, in the year 1873.

"Other cases."				Suits under the Rent Law.								Other suits.												
Rs. 500 and under.	Moveable property or value thereof.	Rs. 500 and under.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipts, or on account of illegal restraint or other cause.	For pottahs or kuboolents.	For ejectment or recovery of possession.	For recovery of money or accounts from Agents.	All other suits under the Rent Law not included above.	Suits for immovable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Remarks.
Above Rs. 500.	Above Rs. 500.																							
..	8	1	13	.	..	..	..	..	..	..	..	25*	1	4	17	10	..	..	13	8	..	..	2	
106	3	31	6	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
24	..	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
130	11	36	19	..	..	..	...	.	..	..	..	25	1	4	17	10	..	..	13	8	..	..	2	

* This includes 22 suits for ejectment.

Judicial Statement 7.—(Civil)

Statement showing value of Suits disposed of in the Civil Courts having jurisdiction within the Town of Rangoon in the year 1873.

Value of Suits.			Number of Suits disposed of in different Courts.			Total value of suits.	Remarks.
			Small Cause Courts.		Recorder's Court		
			Court of the First Judge.	Court of the Second Judge.			
						Rs. A. P.	
Not exceeding Rs. 5 ...	Recorder's Court		...	...	4	16 0 0	
	Small Cause Courts ...	Court of First Judge ...	118	...	...	456 9 9	
		Do. Second Judge	..	31	...	109 5 0	
		Total ...	118	31	4	581 14 9	
Do. „ 20 ...	Recorder's Court		...	...	13	132 4 0	
	Small Cause Courts ...	Court of First Judge ...	891	...	...	11,568 2 2	
		Do. Second Judge	...	296	...	4,160 1 1	
		Total ...	891	296	13	15,860 7 3	

Do.	„	100 ...	Recorder's Court	...	...	7	280	0	0	
			Small Cause Courts ... Court of First Judge ...	1,481	...	..	70,251	6	2	
			Do. Second Judge	...	415	...	20,850	12	1	
			Total ...	1,481	415	7	91,382	2	3	
Do.	„	500 ...	Recorder's Court	...	...	11	3,517	9	1	
			Small Cause Courts .. Court of First Judge ...	605		...	1,27,853	13	9	
			Do. Second Judge	...	122	...	28,211	12	6	
			Total ...	605	122	11	1,59,583	3	4	
Do.	„	1,000 ...	Recorder's Court	...	...	4	3,774	6	6	
			Small Cause Courts ... Court of First Judge ...	115	...	...	80,761	1	9	
			Total ...	115	...	4	84,535	8	3	
Do.	„	5,000 ...	Recorder's Court	...	...	82	1,75,263	9	1	
Do.	„	10,000 ...	Ditto ...	...	...	7	52,662	12	0	
Do.	„	1,00,000 ...	Ditto	...	...	7	1,69,561	9	6	
	Total	...	Recorder's Court ...	...	...	135	4,05,208	2	2	
			Small Cause Courts Court of First Judge ...	3,210	...	...	2,90,891	1	7	
			Do. Second Judge	...	864	...	53,331	14	8	
			GRAND TOTAL ...	4,209			7,49,431	2	5	

Of the 172 suits disposed of in the Court of the Recorder during the year, 135 only are valued and 37 have no value.

Judicial Statement 8.—(Civil).

Statement showing the general result of the trial of Civil Suits in the Courts exercising jurisniction within the Town of Rangoon in the year 1873.

Class of Courts.	Suits remaining from last year.	Instituted in 1873.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Contested.		Total disposed of.	Pending	Over 2 months.	Over 4 months.	Average duration of suits.		Referred to arbitration	Remarks.
													Judgment for plaintiff in whole or part.	Judgment for defendant.					Contested.	Uncontested.		
																			days.	days.		
Recorder's Court ..	30	179	..	209	..	..	13	7	12	31	25	..	51	32	171	37	9	8	87	27	1	
Court of Small Causes. — Court of the First Judge ..	103	3,220	8	3,326	..	18	412	12	152	346	1,337	15	618	299	3,209	116	16	6	12	18½	1	
Court of Small Causes. — Court of the Second Judge	..	883	..	883	3	5	230	2	4	179	266	12	99	63	863	19	..	..	11	6½	1	
Total ..	133	4,282	8	4,418	3	23	655	21	168	556	1,628	27	768	394	4,243	172	25	14	99	15½	3	

Judicial Statement 9—(Civil.)

Statement showing the business of the Civil and Revenue Appellate Courts exercising jurisdiction within the Town of Rangoon in the year 1873.

Class of Courts.	Remaining.	Instituted.	Received by transfer.	Total.	Transferred.	Dismissed for default or under Sections 5 and 6, Act XXIII of 1861.	Heard *ex-parte*.			Contested.				Total disposed of.	Pending.	Over four months.	Objections under Section 348, Act VIII, 1869.	Objections allowed.	Remarks.
							Confirmed.	Modified.	Reserved.	Confirmed.	Modified.	Reserved.	Remanded						
						BLANK.													

Judicial Statement 10—(Civil.)

Statement showing the Execution of the Decrees of the Civil Courts exercising jurisdiction within the Town of Rangoon in the year 1873.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Decrees partially executed.	Pending at the end of 1873.	Decrees executed by possession being given.	Nature and Number of coercive processes issued.						Remarks.
	Pending.	Filed.	Received by transfer.	Total.					Imprisonment of person.	*Movable property.* Attached.	*Movable property.* Sold.	*Immovable property.* Attached.	*Immovable property.* Sold.	Orders under Section 243, Code of Procedure.	
Recorder's Court, Rangoon...	5	91	44	140	56	74	10	6	3	26	23	40	29	...	
Courts of Small Causes. Court of the First Judge ...	86	2,231	29	2,346	1,484	801	61	...	107	232	146	...	...	...	
Courts of Small Causes. Court of the Second Judge ...	...	214	10	224	162	54	8	...	20	62	12	...	...	...	
Total. ...	91	2,536	83	2,710	1,702	929	79	6	130	320	181	40	29	...	

Judicial Statement.—11.

Statement showing use of Juries and Assessors in the Recorder's Court in the year 1873.

Classes of Courts in which Jurors or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualification.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury Trials.		Assessors Trials.		Remarks.
				Cases in which the Judge approved of the verdict.	Cases in which the Judge did not approve of the verdict.	Number of cases in which Judges agreed with Assessor.	Number of cases in which Judges differed from Assessor.	
Court of the Recorder of Rangoon.								
Jury in all Criminal trials before the Recorder as a Court of Sessions, and as a High Court for the trial of European British subjects.	*Jury of 5.*—No prescribed qualification beyond what is laid down in the Criminal Procedure Code. *Assessors.*—One or more. No prescribed qualification.	36, including those pending at the close of 1872.	1	33	3	...	1	Juries were employed in the trial of Criminal cases. Three Assessors were employed in the trial of a case for divorce between Mahomedans. In seven Criminal Sessions cases the accused pleaded guilty.
Assessors in Civil cases at the discretion of the Recorder.								Note showing in what classes of cases Juries and Assessors have been principally employed.

APPENDICES TO PART II.

COURTS UNDER THE SUPERVISION OF THE JUDICIAL COMMISSIONER.

B.—Judicial

Showing the various Judicial Tribunals, Original and Appellate, existing in last day of

Class of Tribunal Distinguishing those which exercise powers in one department from those exercising powers in two or three departments, and those consisting of paid from unpaid Judges.	No of Judicial divisions.	Average area of each division in square miles	Average population of each division	No. of tribunals.	Constitution of tribunals, stating No of Judges in each and Jury or Assessors, if any	Judicial powers of each tribunal, Original and Appellate
Local and Subordinate Magistrates exercising Criminal powers only, unpaid	1			1	1 Judge	Magistrate of the 3rd class, under Section 20 of Act X of 1872.
Ditto ditto Magistrates exercising Criminal powers only, paid	4	..	.	4	do	Magistrates of the 2nd and 3rd Class, under Section 20 of Act X of 1872.
Ditto ditto Magistrates exercising Civil powers only, paid	1			1	do	Civil original jurisdiction to Rs 9,000 as Court of grade (2) defined in Section 8 of Act VII of 1872, and powers of a Small Cause Court to try suits up to Rs 100 in value
Ditto ditto Magistrates exercising Criminal, Civil and Revenue powers, paid	93		.	93	do	Magistrates of the 2nd and 3rd Class, under Section 20 of Act X of 1872. Civil jurisdiction up to Rs 500 and Rs 3,000 as Courts of grade (1) and grade (2) defined in Section 8 of Act VII of 1872, with Revenue powers under the rules of the province.
Small Cause Court (confined to proper functions)	1	..	..	1	Both under Act VII of 1872. One Judge for both Courts. Jurors employed in Sessions trials	Civil original jurisdiction in Civil suits up to Rs 1,000 under Section 8 of Act VII of 1872.
Court of the Judge of Moulmein	1	..	..	1		Civil Original, Sessions, and Criminal appeal under Act VII of 1872, also powers of a Small Cause Court with jurisdiction up to Rs 1,000 under Section 8 of Act VII of 1872.
Magistrate of 1st Class, exercising Criminal powers only	2	..	..	2	1 Judge	Magistrate of the 1st Class, under Section 20, Act X of 1872, and Justice of the Peace

Statement I.

the Province of British Burma (exclusive of the Town of Rangoon) on the the year 1873.

Prescribed qualification of Judges previous to appointment.	Total Number of Judges. *Europeans.* Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of tribunals.	Net receipt from stamps.	Executive or other functions exercised by the same officers.	Average number of days in the year devoted to judicial work.	Average number of Advocates attached to each tribunal.	No. of cases decided during the year. Criminal.	Civil.	Revenue.	Appeal
					Rs.	Rs.	Rs.								
..	..	..	..	1	..	..	..		..		..	..	..	..	..
..	..	2	2	..	2,400	..	12,000		2 Station staff officers. 2 Deputy and Asst. Conservator of Forest.		..	306	..	..	..
..	..	..	..	1	..	4,200	4,818		..		..	2	1,222	..	..
..	..	4	2	87	4,987	1,681	1,87,164	Rs. 2,53,153-0-8	..	Sundays and holidays excepted.	..	11,793	18,059	2,750	..
..	..	..	..	..	..	..	..		..		4	..	4,124	..	..
..	..	1	..	..	17,700	..	25,550		Sessions Judge.		8	7	799	..	45
..	..	1	1	..	8,400	..	24,060		One is Sub-Registrar of Deeds.		..	3,147	..	..	..

Judicial State·

CLASS OF TRIBUNAL Distinguishing those which exercise powers in one department from those exercising powers in two or three departments, and those consisting of paid from unpaid Judges.	Number of judicial divisions.	Average area of each division in square miles.	Average population of each division.	Number of tribunals.	Constitution of tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each tribunal, Original and Appellate.
Magistrate of 1st class, exercising Criminal, Civil and Revenue powers	18	..	..	18	1 Judge.	17 Magistrates of the 1st class under Section 20 of Act X of 1872, and Justices of the Peace 1 Ditto ditto, and also powers under Section 36 of Act X of 1872. Civil jurisdiction up to Rs. 3,000 under Act VII of 1872, Revenue powers under the rules of the province, and Justice of the Peace.
Ditto exercising Revenue powers only	1	..	..	1	do.	Magistrate of the 1st class under Section 20 of Act X of 1872, and Justice of the Peace, exercising Revenue powers only.
Magistrates of districts exercising Criminal, Civil and Revenue powers, as also special powers under Section 36 of Act X of 1872.	14	..	..	14	do.	Magistrate of the 1st class under Section 20 of Act X of 1872. Civil Original jurisdiction in all suits of whatever value or amount with Appellate Civil powers over all Courts of grade (1) and grade (2) as defined in Section 8 of Act VII of 1872. Revenue, Original and Appellate powers as in the Revenue Rules of the Province; also additional powers under Section 36 of Act X of 1872. Magistrates of full powers have the chief executive control over their districts, and have powers to hear appeals from the orders of 2nd and 3rd class Magistrates in their districts, and are also Justices of the Peace.
Sessions Courts ..	3	..	..	3	do. with Assessors in Sessions trials.	Powers of Court of Session under Section 15 of Act X of 1872. Appellate jurisdiction, Criminal, Civil and Revenue, over all chief Courts of Districts and Magistrates of the 1st class.
Court of the Judicial Commissioner	1	..	..	1	1 Judge.	Powers of a High Court.

ABSTRACT.

1 Judicial Commissioner.
3 Commissioners.
1 Judge.
4 Deputy Commissioners, 1st grade.
3 Ditto, 2nd do.
3 Ditto, 3rd do.
3 Ditto, 4th do.

1 Superintendent of Hill Tracts.
5 Assistant Commissioners, 1st grade.
4 Ditto, 2nd do.
18 Ditto, 3rd do.
4 Supernumerary Assistant Commissioners.

ment.—(*Continued.*)

Prescribed qualification of Judges to previous appointment.	Total Number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of tribunals.	Net receipts from stamps.	Executive or other functions exercised by the same officers.	Average number of days in the year devoted to judicial work.	Average number of Advocates attached to each tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appeal.
...	6	6	6	...	7,468	...	1,29,119	Rs. 2,53,153-0-8	...	Sundays and holidays excepted.	...	4,907	790	550	...
...	...	...	1	...	9,226	...	9,226		Sub-Registrar of Deeds. In charge of stamps and treasury and Revenue sub-division of the town of Rangoon.		...	...	...	...	..
...	...	11	3	...	16,662	...	3,03,497		...		...	2,197	130	3,038	1,415
...	...	3	...	...	33,000	...	99,264		...		...	95 and mis. cases 13	8 mis. cases	106 mis. cases	464
...	1	...	...	...	30,000	...	43,008	3,239-9-0	...		...	...	...	...	182

ABSTRACT

4 Extra Assistant Commissioners, 1st class 1st grade
4 Ditto, do. 2nd do.
5 Ditto, 2nd class, 1st do.
5 Ditto, do. 2nd do.
16 Ditto, 3rd class, 1st do.
13 Extra Asst. Commissioners, 3rd class, 2nd grade
5 Ditto, do. 3rd do.
9 Ditto, do. 4th do.
30 Ditto, do. 5th do.
2 Assistant Cantonment Magistrates.
3 Honorary Magistrates.

B—JUDICIAL.

2.—(*Criminal.*)—*Statement of Offences Reported and of Persons Tried, Convicted and Acquitted for each Offence in the Province of British Burma (exclusive of the Town of Rangoon) for the year 1873.*

DESCRIPTION OF OFFENCE.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Remaining under trial.	Remarks.
CLASS I.							
Offences against the State, the Public, and Justice.							
Against the State.							
Waging war against the Queen ...	1	5	...	5	...	...	
Relating to Coin, Stamps, Weights, and Measures.							
Counterfeiting coin ...	3	5	...	5	...	...	
Diminishing or altering coin ...	7	19	4	14	1	...	
Passing or possessing bad or altered coin ...	17	31	10	18	1	1	1 committed.
Using as genuine counterfeit stamps or effacing or altering same ...	2	4	3	1	...	...	
Making, using, or possessing false weights or measures ...	10	11	4	7	...	...	
Against Public Justice.							
Personating public servant or soldier ...	21	45	18	26	...	1	
Concealing design to commit offence ...	9	18	5	13	...	...	
Omitting to give information of offence, or giving false information ...	65	91	36	53	...	2	
Causing disappearance of evidence ...	6	17	8	9	...	...	
Resisting, obstructing, or omitting to assist public servant ...	45	85	21	64	...	...	
Disobedience of lawful order, causing injury	209	696	86	610	...	...	
Intentional insult or interruption in judicial proceeding ...	43	42	3	39	...	...	
Harbouring an offender ...	21	27	16	11	...	...	
Taking gift to screen offender ...	74	114	33	81	...	...	
Resistance to lawful apprehension and rescue	80	106	14	90	1	1	
Escape from lawful custody or transportation	23	26	7	19	...	...	
Absconding from avoiding, or disobeying summons or notice, or order to attend or produce, or refusing to answer or sign ...	260	578	216	360	...	2	
By Public Servants.							
Taking valuable thing by, or to influence public servants ...	79	123	50	56	7	9	1 do.
Public servant acting illegally to injure any person ...	...	...	...	...	...	...	
Public servant unlawfully trading ...	7	12	3	8	1	...	
Public servant fradulently defeating punishment or forfeiture ...	13	19	7	8	3	...	1 do.
Public servant wilfully making order or decision contrary to law ...	6	15	6	9	...	...	
Public servant intentionally omitting to apprehend, or permitting to escape ...	10	10	4	5	...	1	
Public servant negligently suffering escape...	65	88	10	75	2	1	
Breach of Police Act by Police Officers ...	31	39	5	34	...	...	
False Evidence, False Complaints, or Claims, and Forgery.							
Giving false evidence ...	53	74	...	37	1	4	6 do.
Making, issuing, or using false statement or certificate ...	1	6	...	6	...	...	
False personation in judicial proceeding ...	18	30	...	19	...	1	
	1,179	2,336	605	1,672	17	23	9 committed.

B.—JUDICIAL.—*Statement 2.*—(Continued).

DESCRIPTION OF OFFENCE.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Remaining under trial.	Remarks.
Brought forward ..	1,179	2,336	605	1,672	17	23	9 committed.
False Evidence, False Complaints or Claims, and Forgery.—(Continued.)							
Fraudulent claim to, or concealment of property, or suffering of decree ..	8	16	7	9	..	..	
False claim in Court of Justice ..	1	1	1	..	..	..	
False charge of offence ..	26	43	22	21	..	..	
Frivolous or vexatious complaint ..	7	9	..	9	..	..	
Forgery or fraudulently using or possessing forged document ..	13	23	13	6	..	1	3 do.
Making or using false trade marks ..	2	5	4	1	..	..	
Public Nuisances.							
Public nuisances under Penal Code ..	859	1,621	367	1,246	1	6	1 do.
Nuisances under Police or Municipal and Local Acts ..	660	1,437	142	1,295	..	..	
Relating to the Public Peace.							
Rioting or unlawful assembly ..	193	1,248	256	975	1	16	
Omitting to inform of, or prevent riot ..	1	4	1	3	..	..	
Affray ..	305	1,199	249	948	..	1	1 do.
Offences relating to religion ..	24	70	50	20	..	..	
Total Class I ..	3,278	8,012	1,717	6,215	19	47	14 committed.
CLASS II.							
Offences against the Person.							
Murder .. { By dacoits / By robbers }							
Other murder { From motives connected with women / From other motives }	56	93	10	4	11	4	64 committed.
Attempt to murder ..	16	19	6	3	..	..	10 do.
Culpable homicide ..	28	53	10	23	..	1	19 do.
Abetment of suicide ..	1	1	..	1	..	..	
Attempt to commit suicide ..	22	23	14	9	..	..	
Causing miscarriage ..	3	4	1	2	1	..	
Exposure of infant or concealment of birth ..	1	2	..	2	..	..	
Grievous hurt ..	109	158	52	101	..	3	2 do.
Grievous hurt on grave and sudden provocation ..	7	10	3	7	..	..	
Hurt ..	343	571	285	279	3	4	
Hurt by dangerous weapons ..	127	206	83	121	2	..	
Causing hurt to extort property or confession ..	26	50	19	29	..	..	2 do.
Act dangerous to life or safety ..	57	78	24	54	..	..	
Wrongful restraint ..	53	129	89	39	..	1	
Wrongful confinement ..	23	73	46	25	..	2	
Wrongful confinement to extort property or confession ..	5	15	7	4	4	..	
Assault or use of criminal force ..	2,445	3,744	2,192	1,536	3	12	1 do.
Carried forward ..	3,322	5,229	2,838	2,239	24	27	98 committed.

B.—JUDICIAL.—*Statement* 2.—(Continued.)

DESCRIPTION OF OFFENCE.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Remaining under trial.	Remarks.
Brought forward ..	3,322	5,229	2,838	2,239	24	27	98 committed.
Offences against the Person.—(Continued.)							
Criminal intimidation or insult ..	3,499	5,029	3,137	1,889	16	*82	2 do.
Causing annoyance in state of intoxication ..	74	100	8	92	..	..	
Unlawful compulsion of labor ..	1	1	..	1	..	..	
Kidnapping or abduction ..	23	31	21	10	..	..	
Abducting a woman to compel marriage for defilement ..	5	7	4	1	2	..	
Selling, letting, or unlawfully obtaining a women for purposes of prostitution ..	1	4	4	..	..	..	
Enticing a married womàn with criminal intent ..	13	14	8	2	..	3	1 do.
Fraudulent and unlawful marriages ..	11	25	6	19	..	..	
Adultery ..	50	61	40	13	3	†2	2 do.
Rape ..	59	66	37	22	1	2	4 do.
Unnatural offences ..	4	4	2	1	..	..	1 do.
Defamation ..	52	73	47	23	..	..	3 referred and struck off.
Total Class II ..	7,114	10,644	6,155	4,262	46	66	108 committed.
CLASS III.							
Offences against Property, with violence.							
Dacoity ..	88	130	25	72	4	..	29 committed.
Preparation or assembly for dacoity ..	11	24	15	9	..	..	
Robbery with hurt or deadly weapon ..	11	15	2	10	..	3	
Robbery ..	78	125	52	59	5	8	6 do.
Extortion ..	81	154	97	54	2	1	
House-breaking or house trespass in order to commit theft ..	389	273	70	197	3	2	1 do.
House-breaking or house trespass in order to commit an offence other than theft ..	17	26	11	15	..	..	
House-breaking or house trespass with preparation for, or attempt at, hurt ..	9	21	11	8	..	..	2 do.
House-breaking or lurking house trespass ..	36	37	20	17	..	..	
Without violence.							
Theft of cattle ..	685	616	221	350	15	30	
Theft, ordinary ..	6,184	5,071	1,179	3,814	38	21	19 do.
Dishonestly receiving stolen property ..	640	1,092	305	756	15	‡5	1 do.
Dishonest misappropriation of property ..	203	327	187	135	3	1	1 do.
Criminal breach of trust ..	114	130	50	77	..	2	1 do.
Cheating ..	168	251	125	107	3	16	
Malicious Offences.							
Mischief, ordinary ..	565	1,127	738	384	5	..	
Mischief by poisoning or killing cattle ..	27	43	25	16	..	2	
Mischief by destroying landmarks ..	2	7	7	..	..	..	
Serious mischief by fire ..	31	35	13	20	1	1	
Criminal trespass or house trespass ..	951	1,627	1,028	585	10	2	
Breaking closed receptacle ..	5	6	3	3	..	..	2 do.
Total Class III ..	10,195	11,137	4,134	6,738	104	89	62 committed.

* 2 struck off and 1 compromised. | † 1 struck off. | ‡ 10 made over to British Resident, Mandalay.

B.—JUDICIAL.—*Statement* 2.—(Continued.)

DESCRIPTION OF OFFENCE.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Remaining under trial.	Remarks.
CLASS IV.							
Offences not included in the above Classes.							
Criminal breaches of contracts of service ..	17	34	15	19	..	..	
Contempts of Court ..	4	5	..	5	..	..	
Total Class IV ..	21	39	15	24	..	..	
SPECIAL LAWS OF THE PROVINCE.							
Breach of laws relating to —							
Excise on spirits and drugs (Abkaree) ..	1,209	1,604	359	1,229	10	6	
Customs Act ..	1	1	..	1	..	..	
Jails ..	43	48	10	36	..	..	2 struck off.
Forests ..	30	76	30	43	..	3	
Ferries ..	8	11	7	4	..	..	
Gaming and Lotteries ..	543	3,365	579	2,747	19	20	
Stamps ..	6	6	..	6	..	..	
Paper Currency Act III of 1871 ..	1	1	1	..	..	..	
Lunatics Act XXXVI of 1858 ..	6	6	3	3	..	..	
Cattle trespass ..	82	142	72	70	..	..	
Possession of Arms ..	8	12	3	9	..	..	
Merchant Shipping Act ..	15	30	9	21	..	..	
Seamens Act I of 1859 ..	28	84	20	64	..	..	
Local Rules ..	2	24	..	17	..	7	
Port Rules ..	1	1	..	1	..	..	
Police Act V of 1861 ..	375	755	97	658	..	..	
Cantonment Rules ..	44	96	6	90	..	..	
Registration Act ..	1	3	..	3	..	..	
Mutiny Act ..	2	2	1	1	..	..	
Carriages, Carts, and Boats ..	303	670	84	586	..	..	
Artificers' and Workmen's Act XIII of 1859 ..	7	8	4	4	..	..	
Contageous disease ..	61	83	26	56	1	..	
Vagrancy Act XXI of 1869 ..	1	1	..	1	..	..	
Act XXI of 1856 ..	10	115	15	100	..	..	
Miscellaneous ..	106	142	2	120	20	..	
Total ..	2,902	7,286	1,328	5,870	50	36	2 struck off.
ABSTRACT.							
Offences under Class I ..	3,278	8,012	1,717	6,215	19	47	14 committed.
Ditto Class II ..	7,114	10,644	6,155	4,262	46	66	108 do. *
Ditto Class III ..	10,195	11,137	4,134	6,788	104	89	62 do. †
Ditto Class IV ..	21	39	15	24	..	..	
Breach of Special Laws of the Province ..	2,902	7,286	1,328	5,870	50	36	
GRAND TOTAL ..	23,510	37,118	13,349	23,109	219	238	
Vagrancy without ostensible means of livelihood ..	284	339	71	268	..	..	
Maintenance of wife and children ..	50	30	19	11	..	..	
Disputes of land ..	4	1	1	..	..	..	
Security to keep the peace ..	41	12	2	10	..	..	
Non-compliance with order to give bond ..	1	2	2	..	..	..	
Total ..	‡380	‡384	95	289	..	..	

* 6 struck off and 1 compromised | † 10 made over to the British Resident, Mandalay.

‡ *N.B.*—Sandoway returns do not furnish number of offences and persons under these heads, while the statements from Akyab District give only number of offences.

Judicial Statement

Statement showing the general result of Criminal Trials in the Tribunals of Rangoon), in the

Class of Tribunal.	Number of Persons dealt with.						
	Remaining at end of last year.	*Brought to trial during the present year.*				Received by transfer.	Total.
		Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.		
1	2	3	4	5	6	7	8
Village Officers ...	...	...	...	...	...	...	...
Unpaid Magistrates ...	...	...	...	...	...	...	...
Local and Subordinate paid Magistrates ...	79	10,133	1,603	10,610	141	164	22,630
Full power Magistrate exercising jurisdiction throughout the district	54	7,496	714	2,882	123	167	11,436
Chief Magistrates of districts ...	21	2,092	220	788	30	511	3,662
Total Magistracy ...	154	19,721	2,537	14,280	294	842	37,728
Sessions Courts ...	13	76	...	...	...	122	211
High Court ...	...	...	...	...	...	...	...
Grand Total ..	167	19,797	2,537	14,280	294	964	37,939

3.—(Criminal.)

various Classes in the province of British Burma (exclusive of the Town of year 1873.

Persons disposed of.					Remaining at end of year.	Average number of days during which each case lasted.	Number of witnesses who attended.	Remarks.
Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred.				
9	10	11	12	13	14	15	16	17
...	...	...	...	...	...	...	...	
...	...	...	...	...	...	...	...	
2,321	6,785	13,092	20	319	93	3	39,379	
921	2,199	8,025	117	72	102	5	18,514	
405	784	2,294	78	51	43	5·76	5,727	
3,647	9,768	23,411	215	442	238	4·58	63,620	
...	54	130	...	2	25	40·60	799	
...	...	...	...	...	...	...	...	
	9,822	23,541	215	444	263	22·59	64,419	

Judicial Statement

Statement showing the punishments inflicted by various Criminal Tribunals in

CLASS OF TRIBUNAL.	PERSONS SENTENCED TO												PERSONS ORDERED TO FIND OR GIVE				
		TRANSPORTATION.			IMPRISONMENT.				FINE.		WHIPPING.						
					Rigorous.												
	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Surety of the peace.	Recognizance.	Sureties for good behaviour.	Rs. 10 and under.	Rs. 50 and under.
Magistrates unpaid ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Local and Subordinate paid Magistrates ..	..	..	..	..	1	2,110	76	6	354	9,899	56	172	6	..	74	7,071	2,893
Full power Magistrates of general jurisdiction.	..	..	..	..	2	1,588	54	..	371	5,479	47	278	41	104	853	4,216	1,074
Chief Magistrates of Districts ..	..	..	1	..	3	1,042	24	..	93	954	39	108	16	12	540	696	220
Total Magistracy ..	..	..	1	..	6	4,749	154	6	818	16,332	142	558	63	116	1476	11,983	4,192
Sessions Judges ..	19	30	6	..	..	67	1	..	3	2	..	..	..	..	..	..	..
GRAND TOTAL ..	19	30	7	..	6	4,816	155	6	821	16,334	142	558	63	116	1476	11,983	4,192

4.—(Criminal.)

the Province of British Burma (exclusive of the Town of Rangoon), in the year 1873.

DETAIL OF PUNISHMENT.																				
FINE.							IMPRISONMENT.										WHIPPED.		
							15 *days.*		6 *months.*		2 *years.*		7 *years.*		7 *years & above.*				
Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	10 stripes and under.	20 stripes and under.	30 stripes and under.
..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
209	75	..	..	1,59,889-13-0	1,08,403-1-1	19,290-2-1	325	42	2,120	53	29	3	..	..	..	..	48	139	4
297	259	4	..	1,25,800-0-0	84,042-1-1	20-742-15-3	170	23	943	36	870	5	2	..	..	..	71	100	153
71	55	5	..	36,681-0-0	16,484-9-3	5,669-8-0	63	4	349	31	506	11	206	..	1	..	18	69	60
577	389	9	..	3,22,370-14-0	2,08,929-11-5	35,708-9-4	558	69	3,412	120	1,405	19	208	..	1	..	137	308	255
..	2	..	3	4,825-0-0	2,625-0	..	..	..	..	..	6	1	44	..	49	..	..	..	..
577	391	9	3	3,27,195-14-0	2,11,554-11-5	35,708-9-4	558	69	3,412	120	1,411	20	252	..	50	..	137	308	255

f

Judicial Statement

Statement showing the result of Appeal and Revision in Criminal

Rangoon), during

Tribunal.			Number of appellants or persons applying for revision under Section 404, C. C. P.	Number	
				Appeals or applications rejected.	Sentences confirmed.
1			2	3	4
Magistrates of Districts.	Appeals from unpaid Magistrates	...	...	...	...
	Appeals from paid Magistrates	...	505	27	230
Sessions Courts.	Appeals from unpaid Judges	...	...	...	...
	Appeals from paid Judges	...	674	103	367
	Court of Judicial Commissioner	...	237	12	72
	Total	...	1.416	142	669

5.—(Criminal)

Cases in the Province of British Burma (exclusive of the Town of

the year 1873.

OF PERSONS.						
Sentences modified.	Sentences reversed.	Proceedings quashed.	Further inquiry or evidence ordered.	Cases referred for revision to High Court.	Pending.	Remarks.
5	6	7	8	9	10	11
...	...	...	...		...	
89	151	...	2	...	6	
...	...	...	...	...	...	
58	110	...	6	4	24	2
17	114	14	...	...	6	2
164	375	14	8	4	36	4

Judicial Statement

Statement showing the Number and Description of Civil Suits instituted in the Civil in the

SUITS FOR MONEY, DISTINGUISHING SUITS UP TO RS. 500, COGNIZABLE BY SMALL CAUSE COURTS, FROM

CLASS OF TRIBUNALS.	On written obligation.		On unwritten.		On account stated.		Money had and received.		Goods sold.		Breach of contract not mentioned above.		Rent not falling under the Rent Law.	
	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under	Above Rs. 500.
Paid sub-divisional Tribunals ..	2,844	124	2,967	14	573	21	752	14	2,781	21	1,663	6	433	..
Chief Courts of Districts. ..	4	3	2	..	4	..	9	..	5	1	1	1	..	..
Judge's Court, Moulmein ..	..	178	..	18	..	2	..	14	..	19	..	14	..	
Small Cause Side ..	1,257	..	316	..	11	..	116	..	408	..	855	..	97	..
Small Cause Court, Akyab ..	146	..	127	..	9	..	293	..	268	..	20	..	11	..
TOTAL ..	4,251	305	3,412	32	597	23	1,170	28	3,462	41	2,039	21	541	2

6—(Civil.)

Courts in the Province of British Burma (exclusive of the Town of Rangoon) year 1873.

"Other Cases."				Suits under the Rent Law.—*Blank.*	Other Suits.										Remarks.
Movable property or value thereof.		Damages.			Suits for immovable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including prémption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	
Rs. 500 and under	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.														
2,458	30	1,853	12		1,059	138	85	313	6	1	8	940	92	90	11	7	
5	3	4	..		3	..	..	7	..	..	1	..	..	8	..	..	
..	5	..	6		4	2	8	..	5	..	2	..	4	..	..	..	
114	..	31	..		..	..	..	..	..	..	..	..	..	..	..	..	
43	..	11	..		..	..	..	..	..	..	..	..	..	..	..	..	
2,615	38	1,899	18	..	1,066	140	93	320	11	1	11	940	96	107	11	7	

Judicial Statement 7.—(Civil.)

Statement showing value of Suits disposed of in the Civil and Revenue Courts of the Province of British Burma (exclusive of the Town of Rangoon), in the year 1873.

Value of suits.	Number of Suits disposed of in different Courts.					Total value of suits.	Remarks.
	Village Courts.	Small Cause Courts.	Moonsiffs', Deputy Collectors' and other Sub-Divisional Courts.	District Courts.	Superior Courts.		
1	2	3	4	5	6	7	
In Civil Courts.							
Rs.						Rs. A. P.	
Not exceeding 5	...	343	2,739	6	...	10,086 10 11	
„ „ ... 20	...	1,396	5,541	57	...	91,898 15 0	
„ „ ... 100	...	1,628	8,462	136	...	4,68,378 0 3	
„ „ ... 500	...	334	2,357	87	...	5,42,839 11 0	
„ „ ... 1,000	...	34	184	18	...	1,62,808 15 0	
„ „ ... 5,000	...	...	76	42	...	2,01,143 5 8	
„ „ ... 10,000	...	...	...	15	...	1,02,142 15 3	
„ „ ... 100,000	...	...	...	3	...	73,603 0 0	
Exceeding ... 100,000	...	...	...	...	...	...	
Not valued ...	...	...	...	16	...	...	
Total ...	...	3,735	19,359	380	...	16,52,901 9 1	

Judicial Statement 8.—(Civil).

Statement showing the general result of the trial of Civil Suits in the Courts of Original jurisdiction in the Province of British Burma (exclusive of the Town of Rangoon), in the year 1873.

Class of Courts.	Suits remaining from last year.	Instituted in 1873.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Contested.		Total disposed of.	Pending.	Over 2 months.	Over 4 months.	Average duration of suits.		Referred to arbitration	Remarks.
													Judgment for plaintiff in whole or part.	Judgment for defendant.					Contested.	Uncontested.		
																			Days.	Days.		
Village Courts ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Small Cause Courts ..	172	3,631	2	3,805	11	70	687	36	285	263	1,153	29	827	422	3,731	70	..	..	13	11	4	
Unpaid Local Tribunals ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Paid Sub-Divisional Tribunals ..	194	19,289	32	19,515	71	156	2,986	352	1,510	2,565	2,459	712	5,686	2,564	19,316	165	12	3	..	..	299	
District Courts other than Chief Courts of Districts ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Chief Courts of Districts ..	60	312	32	404	3	9	45	12	22	24	118	4	91	57	386	15	..	2	..	..	6	
Total ..	426	23,232	66	23,724	85	235	3,718	400	1,767	2,852	3,730	745	6,604	3,043	23,433	250	12	5	13	11	309	

Judicial Statement 9.—(Civil.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Province of British Burma (exclusive of the Town of Rangoon), in the year 1873.

Class of courts.		Remaining from last year.	Instituted in 1873.	Received by transfer.	Total.	Transferred.	Dismissed for default or under Sections 5 and 6, Act XXIII of 1861.	Heard *ex-parte*.			Contested.				Total disposed of.	Pending.	Over four months.	Objections under Section 348, Act VIII, 1859.	Objections allowed.
								Confirmed.	Modified.	Reserved.	Confirmed.	Modified.	Reserved.	Remanded.					
Chief Appellate Court of District.	Civil Appeals ...	51	1,202	...	1,253	1	63	159	6	10	512	87	289	81	1,208	45	...	...	...
	Miscellaneous Appeals	...	2	...	2	...	...	...	...	...	1	...	...	1	2	...	...	...	...
Superior Appellate Courts other than Chief Court of Province, each class of Courts being specified		1	3	...	4	...	...	...	...	...	1	1	1	...	3	1	...	...	...
Miscellaneous Appeals		...	4	...	4	...	...	4	...	...	...	...	...	...	4	...	...	...	...
Chief Court of Province.	Regular Appeal from Judge or Bench in Original Jurisdiction ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	From District Courts—second Appeals ...	8	51	...	59	...	5	6	1	8	20	2	13	...	55	4	...	...	...
	Special Court Appeals	1	11	...	12	...	...	...	...	...	1	1	1	...	3	9	...	...	...
	Miscellaneous Appeals	...	3	...	3	...	...	1	...	...	1	...	1	...	3	...	...	...	...
Total ...		61	1,276	...	1,337	1	68	170	7	18	536	91	305	82	1,278	59	...	...	...

Judicial Statement 10.—(Civil.)

Statement showing the Execution of the Decrees of the Civil and Revenue Courts of the Province of British Burma (exclusive of the Town of Rangoon), in the year 1873.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Decrees partially executed.	Pending at the end of 1873.	Decrees executed by possession being given.	Nature and Number of coercive processes issued.						Remarks.
	Pending.	Filed.	Received by transfer.	Total.					Imprisonment of person	*Movable property.* Attached.	*Movable property.* Sold.	*Immovable property.* Attached.	*Immovable property.* Sold.	Orders under Section 243, Code of Procedure.	
Village Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Small Cause Courts ...	52	1,425	...	1,477	536	342	70	...	92	146	85	...	...	6	
Local and Sub-Divisional Civil Courts ...	101	4,120	52	4,273	2,846	909	85	520	700	1,794	594	740	293	18	272 struck off
District Courts ...	16	337	1	354	96	79	26	...	44	58	45	85	43	1	39 do.
Total ...	169	5,882	53	6,104	3,478	1,330	181	520	836	1,998	724	825	336	25	311

Judicial Statement 11.

Statement showing use of Juries and Assessors in the Civil and Criminal Courts of the Province of British Burma (exclusive of the Town of Rangoon) in the year 1873.

Classes of Courts in which Jurors or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualification.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury Trials.		Assessors Trials.		Note showing in what classes of cases Juries and Assessors have been principally employed.	Remarks.
				Cases in which the Judge approved of the verdict.	Cases in which the Judge did not approve of the verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Sessions Court, Arakan ...	3	...	14	...	...	10	4	Juries and Assessors have been principally employed in criminal trials only.	The following cases have not been included :— * In 3 cases the Court agreed with one Assessor, and differed from the others, In 1 case the Court agreed with 2 Assessors, and differed from the other. In 1 case the Court concurred with both Assessors in regard to five prisoners, but differed from them in regard to another. In 2 cases Assessors were not called on for an opinion, as the prisoner in one case died in jail, and the prisoner in the other escaped from the Lunatic Asylum before that judgment was passed Total 7 cases.
Ditto Pegu ...	2	...	*55	...	...	29	*19		
Ditto Tenasserim	3	...	9	...	...	9	...		
Judge's Court, Moulmein (Criminal). ...	5	7	...	7	...	...	...		
Total ...	...	7	78	7	...	48	23		

Judcial Statement—12.

Statement of Deeds Registered in the Registration Offices of the Province of British Burma (exclusive of the Town of Rangoon), in the year 1873.

Class of Registry Office.	Number of Officers.	NUMBER OF DEEDS REGISTERED.														Amount of fees received.	Actual cost of Registry Office.
		Obligation for payment of money not secured on real property.				Order personal contracts.	Receipts and other acquittances.		Leases.		Deeds of sale or mortgage of real property of value not exceeding Rs. 100.	Deeds of gift of real property.	Deeds or sale or mortgage of same when value exceeds Rs. 100.	Deeds affecting real property not included in above.	Wills.	Authorities to adopt.		
		Not exceeding Rs. 20.	Not exceeding Rs. 200.	Not exceeding Rs. 5,000.	Exceeding Rs. 5,000.		Not affecting real property.	Affecting real property.	For terms not exceeding one year.	For terms exceeding one year.								
Arakan Division ..	3	..	1	1	2	30	3	..	1	2	6	1	282	6	2	..	621 8 6	305 6 6
Pegu Division ..	13	1	12	12	..	23	108	17	1	14	153	19	1,110	40	2	2	4,289 8 0	1,834 8 0
Tenasserim Division ..	8	..	6	33	25	85	10	8	..	2	34	4	532	9	11	..	1,732 12 0	1,243 8 0
Total ..	24	1	19	46	27	138	121	25	2	18	193	24	1,924	55	15	2	6,643 12 6	3,383 6 6